

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION**

CRIMINAL WRIT PETITION NO. 928 OF 2026

- 1] Ms. Swati Thakur
- 2] Ms. Madhu Vyas @ Madhu Shastri
- 3] Ms. Bhumika Vyas @ Bhumika Shastri
- 4] Mr. Hardik Vyas @ Hardik Shastri
- 5] Mr. Prithviraj Vyas @ Prithviraj Shastri
- 6] Mr. Sagar Vyas @ Sagar Shastri
- 7] Mr. Akshay Vyas @ Akshay Shastri
- 8] Mr. Jignesh Thakur : Petitioners

Versus

- 1] State of Maharashtra
- 2] Ms. Bhavika Gohil : Respondents.

Mr. Advait Helekar a/w Adv. Vijit Shinde i/by Adv. Adithya R
Iyer for the Petitioners.

Ms. Shilpa G Talhar, APP for the Respondent/State.

Mr. Aditya Parmar for the Respondent No.2

PSI Ruchira Bale, PSI Diksha Parve and PSI Kalidas Dhaware
of L.T. Marg Police Station are present.

CORAM : ASHWIN D. BHOBE, J.

DATED : 25 FEBRUARY 2026

PC:-

1. Heard Mr. Advait Helekar, learned Advocate for the Petitioners, Ms. Shilpa Talhar, learned APP for the Respondent/State and Mr. Aditya Parmar, learned Advocate for Respondent No.2.

2. This Petition under Article 226 of the Constitution of India and under Section 528 of the Bhartiya Nagarik Suraksha Sanhita, 2023 is preferred by the Petitioners for quashing the FIR bearing No. 700 of 2023 dated 25 November 2023 registered with L. T. Marg Police Station, Mumbai and the Chargesheet bearing CC No.266/PW/2024 pending before the learned Metropolitan Magistrate, 28th Court at Esplanade, Mumbai.

3. The Petitioners are present in the Court and are identified by their Advocate Mr. Advait Helekar. He tenders the Photostat copies of the eight Identity Cards of the

Petitioners, which are taken on record and marked as “**X-Colly**” for identification.

4. Respondent No.2 is present in the Court and is identified by her Advocate Mr. Aditya Parmar. He tenders the Photostat copy of the Identity Card of Respondent No.2, which is taken on record and marked as “**X-1**” for identification.

5. Mr. Aditya Parmar, learned Advocate for the Respondent No.2, states that the Affidavit dated 24 February 2026 affirmed by Respondent No.2 before the Notary Advocate Sheena Chetan Patil, Andheri (East) Mumbai is placed on record, the same is marked as “**X-2**” for identification.

6. Respondent No. 2 states that the said Affidavit (X-2) is filed out of her own free will and without any pressure or coercion from any person. She states that the contents of the Affidavit (X-2) are as per her say. She reiterates her no objection for quashing of the criminal proceedings.

7. Mr. Advait Helekar, learned Advocate for the Petitioners and Mr. Aditya Parmar, learned Advocate for Respondent No.2 submit that the Petitioners and the Respondent No.2 have amicably resolved their property-related dispute (concerning common spaces in the premises of their residence) and have entered into the Consent Terms, which they executed on 22 December 2025 before Notary Advocate Sheena Chetan Patil, Andheri East, Mumbai. They submit that the Petitioners and Respondent No.2 realized that the misunderstanding between them led to the filing of the criminal complaints against each other. They further submit that, being neighbours, they did not want to continue with the discord and thus resolved the matter. They state that Respondent No.2 has given no objection by Affidavit (X-2) for quashing the criminal proceedings. Therefore, considering the facts of the present case and the Petitioners and Respondent No.2 as neighbours, they request that the impugned FIR and the Chargesheet arising out of the impugned FIR be quashed..

8. Mrs. Shilpa Talhar, learned APP for the Respondent/State submits that the Petitioners and the Respondent No. 2 having now resolved their private dispute amicably and the Respondent No.2 having given no objection in the Affidavit (X-2) as also the Consent Terms entered into between the parties, she has no objection for quashing of the impugned FIR and the chargesheet arising out of the impugned FIR. She, however, submits that considering the valuable time of the police machinery, as also the Court being taken by the Petitioners and the Respondent No.2 to settle a private civil dispute which otherwise did not warrant the filing of any criminal case, exemplary costs may be imposed on the Petitioners and the Respondent No.2.

9. Mr. Advait Helekar and Mr. Aditya Parmar, on instructions, submit that the Petitioners and Respondent No.2 shall deposit appropriate costs.

10. Considering the aforesaid circumstances and the submissions of the learned Advocates, the dispute being of a

civil nature, the matter being settled between the Petitioners and Respondent No.2, the statements made by the Respondent No. 2 in the Affidavit (X-2), and in light of the pronouncements by the Hon'ble Supreme Court in the cases of *Gian Singh vs State Of Punjab*¹, *Narinder Singh And Ors vs State Of Punjab And Anr*² and *Parbatbhai Aahir @ Parbatbhai vs The State Of Gujarat*³, there is no impediment to allow this Writ Petition.

11. In view of the above and subject to Petitioners paying costs of Rs.25,000/- and the Respondent No.2 paying costs of Rs.25,000/- as condition precedent, Criminal Writ Petition No.928 of 2026 is allowed in terms of prayer clause (a) and (b). Consequently, the impugned FIR and the Chargesheet arising out of the impugned FIR are quashed.

12. The Petitioners and the Respondent No.2 shall deposit their respective costs in the below mentioned Accounts within a period of three weeks from today and file in the Registry of

¹ 2012 10 SCC 303

² 2014 6 SCC 466

³ 2017 9 SCC 641

this Court the compliance affidavit along with the proof of deposit on or before 25 March 2026.

a] The Petitioners shall deposit the amount of Rs.25,000/- in :-

The High Court Employees Medical Welfare Fund at Mumbai

Account No.: 000120110001337

Bank : Bank of India

Branch : Mumbai Main

IFSC Code : BKID0000001

b] The Respondent No.2 shall deposit the amount of Rs.25,000/- in :-

Central Police Welfare Fund

Director General MS, Mumbai

Account No: 914010029005759

Bank : Axis Bank Limited

Branch : Worli, Mumbai (M.H.), Mumbai - 400 025

IFSC Code: UTIB0000060

13. The Writ Petition No.928 of 2026 is disposed of.

(ASHWIN D. BHOBE, J.)