

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

WRIT PETITION NO. 971 OF 2026

Ketan Thakarshi Sangoi

...Petitioner

Versus.

The State of Maharashtra & Anr.

...Respondents

Dr. Abhinav Chandrachud a/w Mr. Chandan Singh, Mr. Shekhawat, Mr. Janay Jain, Mr. Niranjana Pachupate & Mr. Ajit Sharma i/b Parinam Law Associates, learned Advocates for the Petitioner.

Mr. Sukanta A. Karmakar, learned A.P.P. for the State/Respondent.

Ms. Nidhi Chheda, learned Advocate for Respondent No. 2.

Mr. Akash Pavankumar Gupta, Respondent No. 2-Original Complainant is present in the Court.

API Mr. V. N. Jagtap attached to Manikpur Police Station, Vasai-West, Palghar is present in the Court.

CORAM : ASHWIN D. BHOBE, J.

DATE : 26th FEBRUARY 2026.

P.C. :

1. Heard Dr. Abhinav Chandrachud, learned Advocate for the Petitioner, Mr. Sukanta Karmakar, learned A.P.P. for the State/Respondent and Ms. Nidhi Chheda, learned Advocate for Respondent No. 2.

2. At the outset, Dr. Abhinav Chandrachud, learned Advocate for the Petitioner, states that during the pendency of this Petition, charge-sheet was filed in First Information Report No. 434 of 2025. He therefore seeks leave to amend the Petition by incorporating additional grounds to challenge the charge-sheet, to pray for the

quashing of the charge-sheet, and to place on record a copy of the charge-sheet.

3. Mr. Sukanta Karmakar, learned A.P.P. for the State/Respondent, and Ms. Nidhi Chheda, learned Advocate for Respondent No. 2, do not object to the grant of the request made by Dr. Abhinav Chandrachud, learned Advocate for the Petitioner.

4. In view of the No Objection, leave is granted to amend the Petition by incorporating additional grounds to challenge the charge-sheet, to pray for the quashing of the charge-sheet, and to place the charge-sheet on record. Dr. Abhinav Chandrachud states that the amendment will be carried out and the charge-sheet will be placed on record forthwith. Permission granted.

5. This Petition is preferred by the Petitioner under Article 226 of the Constitution of India and under Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023, for the quashing of the First Information Report bearing No. 0434 of 2025, dated 12.12.2025, registered with the Manikpur Police Station, Mira-Bhayander, Vasai-Virar (impugned FIR), for offences punishable under Sections 318(4), 316(2), 316(5) & 3(5) of the Bharatiya Nyaya Sanhita, 2023, and the charge-sheet bearing Regular Criminal Complaint No. 588/PW/2026 pending before the Judicial Magistrate First Class (Junior Division), Vasai, arising out of the said FIR.

6. Dr. Abhinav Chandrachud, learned Advocate for the Petitioner, states that the Petitioner is in jail in connection with the present crime. He tenders a photostat copy of the Petitioner's Aadhaar Card, which is taken on record and marked with "X" for

identification.

7. Respondent No. 2 (Original Complainant), is present in the Court along with his Advocate, Ms. Nidhi Chheda. Ms. Nidhi Chheda tenders a photostat copy of Respondent No. 2's Aadhar Card, which is taken on record and marked "X-1" for identification.

8. Ms. Nidhi Chheda tenders the Affidavit dated 26.02.2026, affirmed by Respondent No. 2 before the Notary Advocate Mrs. Snehal C. Sawant, Fort, Mumbai, along with the photostat copy of the Tripartite Settlement Agreement dated 11.02.2026. The same are taken on record and collectively marked as "X-2 Colly" for identification.

9. Respondent No. 2 (Mr Akash Pavankumar Gupta), who is present in the Court, states that he has filed the said Affidavit dated 26.02.2026 (X-2) of his own free will and without any pressure, force or coercion from any person. He states that the contents of the Affidavit (X-2) are as per his say. He refers to paragraphs 2 to 6 of his Affidavit (X-2), which read as follows:

"2. I say that the parties in the present case, with the intervention of well wishers and family, have amicably resolved their disputes and thereafter have entered into a Tripartite Settlement Agreement (hereinafter referred to as "said Settlement Agreement"). A copy of the Tripartite Settlement Agreement entered into between parties dated 11.02.2026 is annexed to this Affidavit and marked as Annexure A1.

3. The present Settlement Agreement has been executed by the Parties out of their own free will and after deliberate thought process and there is no force or coercion on any of

the parties to consent to the terms which they have hereby willfully agreed upon.

4. *I say that the subject proceedings under the FIR are all private disputes and a resolution of the same amongst the parties through quashing of the aforesaid FIR and/or any other procedure shall not in any way affect, harm or prejudice any third party.*

5. *I say that in view of the above, I do not wish to proceed with the FIR registered at the Manikpur Police Station, Vasai or with any proceedings arising out of the said FIR and I also request this Hon'ble Court to quash the said proceedings in C.R No. 0434 of 2025 registered at the Manikpur Police Station, Vasai and I also request this Hon'ble Court to quash and set aside the proceedings Regular Criminal Case (R.C.C.) No. 588 of 2026 pending before the Hon'ble JMFC (JD), Vasai.*

6. *I say that in terms of the aforesaid Settlement Agreement, I am willing to fully cooperate in quashing of the FIR and related proceedings arising out of the aforesaid FIR and that I have no objection if this Hon'ble Court proceeds to quash the said FIR bearing C.R. No. 0434 of 2025 registered at the Manikpur Police station, Vasai and other related proceedings Regular Criminal Case (R.C.C.) No. 588 of 2026 pending before the Hon'ble JMFC (JD), Vasai. Further, I say that I have No Objection if the Petitioner, Mr. Ketan Sangoi is enlarged on Bail.”*

Respondent No. 2 reiterates that the dispute between him and the Petitioner has been amicably resolved. Accordingly, he gives No Objection to the quashing of the impugned FIR and the criminal proceedings initiated at his instance.

10. Dr. Abhinav Chandrachud and Ms. Nidhi Chheda submit that the subject matter of the impugned FIR and charge-sheet pertains

to a commercial transaction, essentially a private dispute. They submit that the allegations in the impugned FIR and charge-sheet relate to the non-performance of promises and reciprocal promises under the contract governing the parties. They submit that the subject matter of the impugned FIR does not involve any public money or any amount pertaining to any public institution or financial institution. They submit that Respondent No. 2 has agreed to withdraw all criminal proceedings filed by him against the Petitioner. They therefore request that the criminal proceedings be quashed.

11. Mr. Sukanta Karmakar, learned A.P.P. for the State/Respondent, states that a purely commercial transaction was given a cloak of criminal proceedings, and the police machinery was used to settle this dispute. He, however, submits that the Petitioner and Respondent No. 2, having now resolved their private dispute and Respondent No. 2 giving his No Objection for the quashing of the criminal proceedings read with his statements in the Affidavit (X-2), the impugned FIR and the criminal proceedings arising out of the impugned FIR be quashed. He, however, insists on the imposition of exemplary costs on the parties.

12. Dr. Abhinav Chandrachud learned Advocate for the Petitioner, and Ms Nidhi Chheda, learned Advocate for Respondent No. 2, on instructions from their respective parties, state that the appropriate costs will be paid.

13. Considering the facts placed before me, the nature of the dispute as stated by Dr. Abhinav Chandrachud and Ms. Nidhi

Chheda, the matter having been amicably settled between the Petitioner and Respondent No. 2, and the statements made on oath by Respondent No. 2 in the Affidavit (X-2), no useful purpose will be served by allowing the criminal prosecution to continue. Having regard to the pronouncements of the Hon'ble Supreme Court in the cases of *Gian Singh v/s. The State of Punjab and Another*¹, *Narinder Singh and Others v/s. State of Punjab and Another*², *Parbatbhai Aahir Alias Parbatbhai Bhimsinbhai Karmur and Others Vs. State of Gujarat and Anr.*³ and *Madhavrao Jiwajirao Scindia & Ors. v/s. Sambhajirao Chandrojirao Angre & Ors.*⁴, there is no impediment to allow this Criminal Writ Petition.

14. In view of the above, the Criminal Writ Petition is allowed in terms of the prayer clause (AA), subject to the Petitioner and Respondent No. 2 paying the cost of Rs. 5,00,000/- each as a condition precedent. Consequently, the impugned FIR bearing No. 0434 of 2025, dated 12.12.2025, registered with the Manikpur Police Station, Mira-Bhayander, Vasai-Virar, and the Charge-sheet bearing Regular Criminal Complaint No. 588/PW/2026, pending before the Court of the Judicial Magistrate First Class (Junior Division), Vasai, are quashed.

15. Dr. Abhinav Chandrachud states that the Petitioner shall deposit the sum of Rs. 5,00,000/- in the following account on or before 27.02.2026 and furnish proof of deposit to the Judicial Magistrate First Class (Junior Division), Vasai :-

1. (2012)10 Supreme Court Cases 303.
2. (2014)6 Supreme Court Cases 466.
3. (2017) 9 SCC 641.
4. (1998)1 SCC 692.

Bank Name : Axis Bank Limited
Branch Name : Worli, Mumbai (M.H.), Mumbai-400
025
Account Name : **Central Police Welfare Fund, Director
General MS, Mumbai**
Account Number : 914010029005759
IFSC Code : UTIB0000060

16. Ms. Nidhi Chheda, learned Advocate states that Respondent No. 2 shall deposit the sum of Rs. 5,00,000/- in the following account by 27.02.2026 and furnish proof of deposit before the Registry of this Court by filing an Affidavit of compliance on or before 27.02.2026 :-

The High Court Employees Medical Welfare Fund at Mumbai
Account No.: 000120110001337
Bank : Bank of India
Branch : Mumbai Main
IFSC Code : BKID0000001

17. Criminal Writ Petition No. 971 of 2026 is disposed of in the above said terms.

[ASHWIN D. BHOBE, J.]

Digitally signed
by GITALAXMI
KRISHNA
KOTAWADEKAR
Date:
2026.02.27
11:32:44 +0530