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

CRIMINAL WRIT PETITION NO.1266 OF 2026

Mohammed Farhan Ansari : Petitioner.

Versus.

State of Maharashtra & Anr. : Respondents.

Mr. Irfan Unwala a/w Adv. Shaheen Kapadia for the Petitioner.

Mrs. Rajeshree V. Newton, APP for the Respondent/State.

Adv. Simran S Raut for the Respondent No.2.

PSI Vijay Patil, Byculla Police Station.

CORAM : ASHWIN D. BHOBE, J.

DATED : 01 APRIL 2026

PC:-

1. Heard Mr. Irfan Unwala, learned Advocate for the Petitioner, Mrs. Rajeshree Newton, learned APP for the Respondent/State and Ms Simran Raut, learned Advocate for the Respondent No.2.

2. This Petition under Article 226 of the Constitution of India and Section 528 of the Bhartiya Nagarik Suraksha Sanhita, 2023, is filed by the Petitioner for quashing the FIR No. 62 of 2026 (Impugned FIR), dated 30 January 2026, registered at Byculla Police Station for offences punishable under Sections 79, 351(2), 352 of the Bhartiya Nyaya Sanhita,

2023, and Section 67(A) of the Information Technology Act, 2000.

3. Mr. Irfan Unwala learned Advocate for the Petitioner and Ms. Simran Raut, learned Advocate for Respondent No. 2, submit that the subject matter of the impugned FIR was a misunderstanding between two friends. They submit that the Petitioner, who is a doctor by profession and Respondent No. 2, who is employed in private service, were friends. They submit that a misunderstanding between the Petitioner and Respondent No. 2 led to a dispute, which resulted in Respondent No. 2 filing the impugned FIR. They submit that with the intervention of elders and well-wishers, the dispute has been amicably settled between them. They submit that following the resolution, they remain friends. They submit that Respondent No. 2 has given her no objection in the Affidavit dated 1st April 2026 for quashing the impugned FIR. Therefore, they request that the impugned FIR be quashed.

4. The Petitioner is present in the Court and is identified by his Advocate Mr. Irfan Unwala. He tenders the photostat copy of the Petitioner's Identity Cards, which is taken on record and marked as "X" for identification.

5. Respondent No.2 is present in the Court and is identified by her Advocate Ms. Simran Raut. She tenders the photostat copy of Respondent No.2's Identity Card, which is taken on record and marked as "X-1" for identification.

6. Ms. Simran Raut, learned Advocate for Respondent No.2, states that the Affidavit dated 1st April 2026, affirmed by Respondent No.2 before Notary Shivaji P. Yadav, is placed on record and the same is marked as “X-2” for identification.

7. 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 to quashing the criminal proceedings. Respondent No. 2 states that she and the Petitioner are friends and that a misunderstanding between them led to a dispute, which she has now amicably resolved with the Petitioner with the intervention of elders and well-wishers. She states that in view of the resolution of the dispute, she has no objection to quashing the impugned FIR. Respondent No. 2 states that she is not interested in continuing the criminal proceedings and wishes to end them. She relies on paragraphs Nos. 2, 3 and 4 of her Affidavit (X-2).

8. Ms. Rajeshree Newton, learned APP for the Respondent/State, submits that the Petitioner and Respondent No.2 have needlessly involved police machinery to resolve their private dispute. However, she submits that since the Petitioner and Respondent No.2 have settled their disagreement and Respondent No.2 has no objection, as shown by her statements before this Court and Affidavit (X-2), she does not oppose the quashing of the impugned FIR.

Nevertheless, she insists on imposing exemplary costs on both the Petitioner and Respondent No.2 for turning a private matter into a criminal issue.

9. Mr. Irfan Unwala, learned Advocate for the Petitioner and Ms. Simran Raut, learned Advocate for the Respondent No.2, on instructions from the Petitioner and the Respondent No.2, submit that appropriate costs would be deposited.

10. Considering the facts mentioned above, the submissions of the learned Advocates for the parties, the statements made by Respondent No.2 before this Court as well as in her Affidavit (X-2) and the fact that the Petitioner and Respondent No.2, who are friends, have amicably resolved their dispute and continue to be friends as stated before this Court, no useful purpose will be served by persisting with the criminal prosecution. Having regard to the pronouncements of the Hon'ble Supreme Court in *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 in allowing this Writ Petition.

11. In view of the above, Criminal Writ Petition No.1266 of 2026 is allowed in terms of the prayer clause (a), subject to payment of costs of Rs. 25,000/- each by the Petitioner and the Respondent No.2. Payment of costs is a condition precedent. Consequently, the impugned FIR is quashed.

¹ 2012 10 SCC 303

² 2014 6 SCC 466

³ 2017 9 SCC 641

12. The Petitioner and the Respondent No.2 shall deposit their respective costs in the below-mentioned Account within a period of three weeks from today and file in the Registry of this Court the compliance affidavit along with the proof of deposit on or before 28th April 2026:-

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

Account Name : BCMG's Advocate Academy& Research Center
Account Number : 000120110001327
Bank Name : Bank of India
Branch Name : Mumbai Main Branch
IFS Code : BKID0000001
Type of Account : Current Account

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

High Court Law Library
Bank : State Bank of India
Branch : Mumbai Main Branch
Account No.: 10996686636
IFS Code : SBIN0000300

13. The Writ Petition No.1266 of 2026 is disposed of.

(ASHWIN D. BHOBE, J.)