

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

WRIT PETITION NO. 1315 OF 2026

Rahul Gautam Ahire

...Petitioner

Versus

The State of Maharashtra & Anr.

...Respondents

Mr. Rushikesh Kale a/w Mr. Suraj V. Gadkari, learned Advocates for the Petitioner.

Petitioner is present in the Court.

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

Mr. Vignesh Ashokan, learned Advocate for Respondent No. 2.

Respondent No. 2 is present in the Court.

CORAM : ASHWIN D. BHOBE, J.

DATE : 24th MARCH 2026.

P.C. :

1. Heard Mr. Rushikesh Kale, learned Advocate for the Petitioner, Mr. Sukanta Karmakar, learned A.P.P. for the State/Respondent and Mr. Vignesh Ashokan, learned Advocate for Respondent No. 2.

2. This Petition is filed by the Petitioner under Article 226 of the Constitution of India read with Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (Section 482 of the Criminal Procedure Code, 1973), seeking to quash the First Information Report bearing No. 772 of 2025 dated 25.12.2025, registered with Bandra-Kurla Complex Police Station, Mumbai, for the offence punishable under Section 306 of the Bharatiya Nyaya Sanhita,

2023 (hereinafter referred to as “Impugned FIR”).

3. Petitioner is present in Court along with his Advocate, Mr. Rushikesh Kale. Mr. Rushikesh Kale identifies and submits a photocopy of Aadhar Card of the Petitioner as proof of identity, which is taken on record and marked as “X” for identification.

4. Respondent No. 2, the Authorised Representative of Coalesce Eventz India Pvt. Ltd. is present in the Court along with his Advocate, Mr. Vignesh Ashokan. Mr. Vignesh Ashokan identifies and submits a photocopy of Respondent No. 2’s Aadhar Card as proof of identity, which is taken on record and marked as “X-1” for identification.

5. Mr. Vignesh Ashokan submits the Affidavit dated 10.03.2026, affirmed by Respondent No. 2 before the Notary Mr. Rajesh J. Yadav, Goregaon (West), Mumbai. The same is taken on record and marked as “X-2” for identification. He also submits the Authority Letter dated 25.12.2025 issued by the company viz. Coalesce Eventz India Pvt. Ltd. (hereinafter referred to as “Company”), authorizing Respondent No. 2 to act and represent the Company in this Petition. The same is taken on record and marked as “X-3” for identification. Respondent No. 2, who is present in Court, states that he has filed the said Affidavit dated 10.03.2026 (X-2) in terms of the decision taken by the Company and without any pressure, force or coercion from anyone. He states that the contents of the Affidavit (X-2) are as per his say and based on records of the Company. He reiterates that the dispute between the Company and the Petitioner has been amicably

resolved, and the Company does not want to pursue the criminal proceedings against the Petitioner. Therefore, he on behalf of the Company gives No Objection to the quashing of the criminal proceedings.

6. Mr. Rushikesh Kale, learned Advocate for the Petitioner and Mr. Vignesh Ashokan, learned Advocate for Respondent No. 2 submit that the Petitioner herein had been to Bandra-Kurla Complex to attend the exhibition, wherein inadvertently he collected the bed-sheet belonging to the Company. They submit that subject matter of the impugned FIR is a misunderstanding between the Petitioner and Respondent No. 2 relating to the issue of bed-sheet. They submit that on realizing the mistake on the part of Petitioner that the bed-sheet had been inadvertently collected by him, the same was returned by the Petitioner to the Bandra-Kurla Complex Police Station, Mumbai, who in turn returned it to the Company. They submit that Respondent No. 2, who is the Authorised Representative of the Company, authorized vide letter dated 25.12.2025, filed a complaint on account of the missing bed-sheet. They submit that the bed-sheet being returned to the Company, Respondent No. 2 has no grievance and the Company does not want to pursue the complaint. Relying on the Affidavit of Respondent No. 2 dated 10.03.2026 (X-2), they submit that the criminal proceedings filed against the Petitioner be quashed.

7. Mr. Sukanta Karmakar, learned A.P.P. for the State/Respondent, submits that the misunderstanding between the Petitioner and Respondent No. 2 being resolved, the bed-sheet of the Company being returned to the said Company and Respondent

No. 2 having filed the Affidavit (X-2), he does not object to the quashing of the impugned FIR and related criminal proceedings arising from it. He however submits that the Petitioner and Respondent No. 2 have used police machinery to settle a private dispute and thus, he insists on imposing exemplary costs on the parties for taking such a trivial issue to the police station.

8. Mr. Rushikesh Kale, learned Advocate for the Petitioner and Mr. Vignesh Ashokan, learned Advocate for Respondent No. 2, on instructions from the Petitioner and Respondent No. 2, who are present in Court, state that the appropriate cost will be paid.

9. Considering the facts presented, the statement made by the learned Advocates, the dispute being amicably settled between the Petitioner and Respondent No. 2, the bed-sheet being returned to the Respondent No. 2, the No Objection given by Respondent No. 2, Authorised Representative of the Company and Respondent No. 2 having stated that the Company does not want to proceed with the criminal proceedings, no useful purpose will be served by continuing the criminal prosecution. 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 and *Parbatbhai Aahir Alias Parbatbhai Bhimsinbhai Karmur and Others v/s. State of Gujarat and Anr.*³, there is no impediment to allow this Criminal Writ Petition.

10. In view of the above, the Criminal Writ Petition is allowed in

1. (2012)10 Supreme Court Cases 303.

2. (2014)6 Supreme Court Cases 466.

3. (2017) 9 SCC 641.

terms of prayer clause (b), subject to the payment of costs by the parties as a condition precedent. Consequently, the impugned FIR is quashed.

11. Petitioner shall deposit cost of Rs. 10,000/- and Respondent No. 2 shall deposit cost of Rs. 10,000/- in the following account within a period of two weeks from today and both must furnish proofs of deposit before the Registry of this Court by filing the Affidavits of compliance on or before 15.04.2026 :-

Armed Forces Battle Casualties Welfare Fund

Bank Name : Canara Bank
Branch : South Block, Defence Headquarters,
New Delhi-110011
Account Number : 90552010165915
IFSC Code : CNRB0019055

12. Criminal Writ Petition No. 1315 of 2026 is disposed of.

[ASHWIN D. BHOBE, J.]

GITALAXMI
KRISHNA
KOTAWADEKAR

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GITALAXMI KRISHNA
KOTAWADEKAR
Date: 2026.04.01
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