

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
WRIT PETITION NO. 1690 OF 2026

Ajay Laxman Temgire

... Petitioner

Versus.

The State Of Maharashtra And Anr.

... Respondents

Mr. Arvind Taral, for the Petitioner.

Petitioner is present in Court.

Mr. Ajitsingh Ghorpade, for the Respondent No. 2.

Respondent No. 2 is present in Court.

Mrs. Rajeshree Newton, APP for the Respondent – State.

PSI Santosh Jadhav, Pant Nagar Police Station, is present.

CORAM : ASHWIN D. BHOBE, J.

DATE : 9th April, 2026.

P.C. :

1. Heard Mr. Arvind Taral learned Advocate for the Petitioner, Mrs. Rajeshree Newton learned APP for the Respondent – State and Mr. Ajitsingh Ghorpade, learned Advocate for the Respondent No. 2.

2. This Petition under Article 226 of the Constitution of India and Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023,

is filed by the Petitioner seeking to quash FIR No. 0897 of 2022, dated 23.10.2022, registered with the Pant Nagar Police Station, Mumbai (hereafter “impugned FIR”), for offences punishable under Sections 118, 351(2) and 352 of the Bharatiya Nyaya Sanhita, 2023.

3. Mr. Arvind Taral and Mr. Ajitsingh Ghorpade submit that the dispute relating to the impugned FIR and two other connected FIRs pertains to an ancestral property dispute amongst the family members. They submit that on account of the said family dispute, there were arguments and heated discussions amongst the family members. They submit that said heated discussions, altercations amongst the family members, complaints and counter-complaints have been filed against the family members. The impugned FIR is one such complaint. They submit that the Petitioner and the Respondent No. 2 have amicably resolved the property dispute amongst themselves with the intervention of elders and friends. They submit that, in view of the resolution, the Respondent No. 2 has given his no objection to the quashing of the impugned FIR. They also mention that the complainants in the other two

connected FIRs have consented to their quashing, and the concerned parties have applied for their quashing by consent. They submit that the family members are not interested in pursuing the criminal proceedings filed against each other and intend to bring them to an end.

4. The Petitioner is present in Court and is identified by his Advocate Mr. Arvind Taral. He tenders a photocopy of the identity card of the Petitioner, which is taken on record and marked as “X” for identification.

5. Respondent No. 2 is present in Court and is identified by his Advocate Mr. Ajitsingh Ghorpade. He submits a photocopy of Respondent No. 2's identity card, which is taken on record and marked as “X-1” for identification.

6. Mr. Ajitsingh Ghorpade states that the Affidavit dated 06.03.2026 affirmed by the Respondent No. 2, before the Notary Manav Hariom B., Mumbai, is placed on record, the same is marked as “X-2” for identification.

7. Respondent No. 2 states that he has filed the Affidavit (X-2) of his own free will, without any force or coercion from anyone. He states that the contents of the Affidavit (X-2) are true and as per his say. Respondent No. 2 states that the family members have resolved the dispute amongst themselves in respect of the property that was the subject of the dispute with the other family members, who are also present in Court today. He states that he does not want to proceed with the criminal proceedings filed against his family members. He reiterates his no objection to the quashing of the impugned FIR. He therefore requests the quashing of the criminal proceedings.

8. Mrs. Rajeshree Newton learned APP for the Respondent – State submits that a personal property dispute was unnecessarily given a veneer of a criminal case. However, she states that in view of the statement made by the Respondent No. 2 today before this Court and in his Affidavit (X-2), she has no objection to the quashing of the impugned FIR.

9. Considering the facts mentioned hereinabove, the submissions of the learned Advocates, the nature of the dispute,

the same being amongst family members arising out of an ancestral property, the same being settled by the parties, the statements made by the Respondent No. 2 before this Court, and his no objection in his Affidavit (X-2, no useful purpose would be served by continuing the criminal proceedings. Having regard to the pronouncements of the Hon'ble Supreme Court in the case 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 in allowing this Petition.

10. In view of the above, Writ Petition No. 1690 of 2026 is allowed in terms of prayer clause (b). Consequently, the impugned FIR is quashed.

11. Writ Petition No. 1690 of 2026 is disposed of.

(ASHWIN D. BHOBE, J.)

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1 2012 10 SCC 303

2 2014 6 SCC 466

3 2017 9 SCC 641