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

CRIMINAL WRIT PETITION NO.1725 OF 2026

Mangesh Meghnath Naik and anr. : Petitioners.

Versus.

State of Maharashtra and anr. : Respondents.

Mr. R R Tripathi for the Petitioners.

Mr. Akanksha G Bobhate for the Respondent No.2.

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

PSI Mahesh Mahadawad of Narpoli Police Station, Bhiwandi,
Thane, present.

CORAM : ASHWIN D. BHOBE, J.

DATED : 16 APRIL 2026

PC:-

1. Heard Mr. R R Tripathi, learned Advocate for the Petitioners, Mrs. Rajeshree Newton, learned APP for the Respondent/State and Ms. Akanksha Bobhate, learned Advocate for 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 Petitioners for quashing the FIR bearing No. 166 of 2026 dated 12 March 2026, registered with Narpoli Police Station, Bhiwandi (impugned FIR), under

Sections 117(2), 3(5), 324(2), 351(2) and 352 of the Bharatiya Nyay Sanhita, 2023.

3. Mr. R R Tripathi, learned Advocate for the Petitioners, and Ms. Akanksha Bobhate, learned Advocate for the Respondent No.2, submit that the subject matter of the impugned FIR was a petty dispute between the Petitioners and the Respondent No.2 arising from an incident of overtaking. To clarify, they submit that the motorcycle of the Respondent No.2 overtook the Petitioners, which resulted in an altercation. They submit that the said altercation led to damage to the motorcycle of the Respondent No.2. They submit that the Petitioners and the Respondent No.2 have amicably resolved the dispute and that the Petitioners have appropriately compensated the Respondent No.2 for the loss caused to the mirror. They further submit that, in view of the amicable settlement, the Respondent No.2 has filed an Affidavit dated 15 April 2026, stating his no objection to the quashing of the impugned FIR. They therefore request the quashing of the impugned FIR.

4. The Petitioners are present in Court and are identified by their Advocate Mr. R R Tripathi. He tenders photostat copies of the Petitioners' Identity Cards, which are taken on record and marked as "X-Colly" for identification.

5. Respondent No.2 is present in the Court and is identified by his Advocate Ms. Akanksha Bobhate. She tenders the Photostat copy of Respondent No.2's Identity Card of

Respondent No.2, which is taken on record and marked as “X-1” for identification.

6. Ms. Akanksha Bobhate, learned Advocate for Respondent No.2, states that the Affidavit dated 15 April 2026, affirmed by Respondent No.2 before the Notary S. N. Dhanage, Fort, Mumbai, is placed on record and marked as “X-2” for identification.

7. Respondent No. 2 states that he has amicably resolved the dispute with the Petitioners and that the Petitioners have paid Rs.12,000/- towards the loss caused to Respondent No. 2 by their act. He states that he has no grievance against the Petitioners and therefore does not intend to continue the criminal proceedings against them. He states that the Affidavit (X-2) is filed of his own free will and without any pressure or coercion from any person. He states that the contents of the Affidavit (X-2) are as per his say. He reiterates his no objection to the quashing of the criminal proceedings. He relies on paragraph 5 of his Affidavit (X-2), which is transcribed herein below in verbatim :-

*“5. **No Objection** : I state that the dispute has now been amicably resolved between myself and the Petitioners, and they have compensated my loss to the extent of Rs.12,000/-. I further state that I have no grievance whatsoever against the Petitioners and do not wish to prosecute them. I therefore state that I have no objection if this Hon’ble Court is pleased to quash and set aside FIR No.166 of 2026 and all consequential proceedings arising therefrom.”*

8. Mrs. Rajeshree Newton, the Respondent/State, submits that as the Petitioners and the Respondent No.2 have amicably resolved their petty dispute, with the Respondent No.2 being compensated by the Petitioners by paying an amount of Rs.12,000/-, she does not object to the quashing of the impugned FIR. She, however, submits that, since a petty dispute was dragged to the police station, costs be imposed on both the Petitioners and the Respondent No.2.

9. Mr. R R Tripathi, learned Advocate for the Petitioners and Ms. Akanksha Bobhate, learned Advocate for the Respondent No.2, on instructions, submit that appropriate costs would be paid.

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 and his no-objection to quashing the impugned FIR in 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 *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 Application.

11. In view of the above, subject to the Petitioner and Respondent No. 2 jointly paying costs of Rs.15,000/-, this

¹ 2012 10 SCC 303

² 2014 6 SCC 466

³ 2017 9 SCC 641

Petition is allowed in terms of prayer clause (a). Consequently, the impugned FIR is quashed.

12. The Petitioners and the Respondent No.2 shall jointly deposit the costs of Rs.15,000/- in the account mentioned below within two weeks from today and file the compliance affidavit, along with proof of deposit, in the Registry of this Court on or before 04 May 2026.

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.1725 of 2026 is disposed of.

(ASHWIN D. BHOBE, J.)