

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
WRIT PETITION NO. 2154 OF 2026**

Raja Ram Mukherjee

... Petitioner

Versus

State Of Maharashtra And Anr.

... Respondents

Senior Advocate Mr. Girish Kulkarni a/w Madhusudan Pareek,
Mrunmai Kulkarni and Parth Bhanushali, for the Petitioner.

Mr. Jacob Manoharan, for the Respondent No. 2

Mr. Sukanta Karmakar, APP for the Respondent – State.

CORAM : ASHWIN D. BHOBE, J.

DATE : 30th April, 2026.

P.C. :

1. This Petition is circulated pursuant to the praecipe dated 29.04.2026. It is taken on record and marked as “A” for identification.

2. Heard Mr. Girish Kulkarni, learned Senior Advocate for the Petitioner, Mr. Sukanta Karmakar learned APP for the Respondent – State and Mr. Jacob Manoharan, learned Advocate for the Respondent No. 2.

3. 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 the FIR No. 251 of 2012, dated 15.10.2012, registered with Versova Police Station, Mumbai (hereinafter "*impugned FIR*"), for the offence punishable under Section 354 of the Indian Penal Code, and the chargesheet bearing C.C. No. 707/PW/2014, pending before the Judicial Magistrate First Class, 44th Court, at Andheri, Mumbai.

4. Mr. Girish Kulkarni and Mr. Jacob Manoharan submit that the subject matter of the impugned FIR is a misunderstanding amongst friends. They submit that the dispute arose due to a misunderstanding between the Petitioner and the Respondent No. 2, which led the Respondent No. 2 to file a complaint that was registered as the impugned FIR. They submit that, through the initiative of the friends and well-wishers of the parties, the Petitioner and the Respondent No. 2, having realized their misunderstanding, have amicably resolved their dispute. They submit that, in view of the settlement, the Respondent No. 2 has affirmed an Affidavit dated 29.04.2026, stating her no objection to the quashing of the criminal proceedings filed against the

Petitioner. They therefore request the quashing of the criminal proceedings filed against the Petitioner.

5. The Petitioner is present in Court and is identified by Mr. Girish Kulkarni, learned Senior Advocate. He tenders a photocopy of the identity card of the Petitioner, which is taken on record and marked as **“X”** for identification.

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

7. Mr. Jacob Manoharan states that the Affidavit dated 29.04.2026 affirmed by the Respondent No. 2 before the Notary Sheena Chetan Patil, is placed on record, same is marked as **“X-2”** for identification.

8. Respondent No. 2 states that she has filed the Affidavit (X-2) of her own free will, without any force or coercion from anyone. She states that the contents of the Affidavit (X-2) are true and as

per her say. She states that she and the Petitioner were friends and it was only on account of a misunderstanding that she filed the Complaint before the Police, which led to the registration of the impugned FIR. She submits that, with the intervention of friends and well-wishers of the Petitioner and herself, she has resolved her differences with the Petitioner and has mutually settled the dispute. She states that, in view of the settlement, she and the Petitioner remain friends. She submits that she is not interested in continuing with the criminal proceedings. She states that she will not support the prosecution's case .

9. Mr. Sukanta Karmakar, learned APP for the Respondent – State, submits that the subject matter of the impugned FIR being a private personal dispute between the Petitioner and the Respondent No. 2, which is now amicably resolved amongst themselves, the Respondent No. 1- State has no objection to the quashing of the impugned FIR and the chargesheet. He however submits that such personal dispute being taken to the police station when it was not required is a fit case for imposition of costs on the Petitioner and the Respondent No. 2.

10. Mr. Girish Kulkarni, learned Senior Advocate for the Petitioner and Mr. Jacob Manoharan, learned Advocate for the Respondent No. 2, on instructions from the Petitioner and the Respondent No. 2, state that they shall pay appropriate costs.

11. Considering the facts mentioned hereinabove, the submissions of the learned Advocates, the amicable settlement between the Petitioner and the Respondent No. 2, the statements made by the Respondent No. 2 before this Court today and in her Affidavit (X-2), the criminal proceedings pending since the year 2014, which are now being settled, the no objection given by the Respondent No. 1-State to the quashing and the clear statement of the Respondent No. 2 that she will not support the prosecution case, no useful purpose would be served by continuing the criminal proceedings.

12. Having regards 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

¹ 2012 10 SCC 303

² 2014 6 SCC 466

*Parbatbhai Aahir @ Parbatbhai vs The State of Gujarat*³, there is no impediment in allowing this Petition.

13. In view of the above, this Petition is allowed in terms of prayer clause (b), subject to payment of costs of Rs. 50,000/- each by the Petitioner and Respondent No. 2. Payment of costs is a condition precedent. Consequently, the impugned FIR and the chargesheet arising therefrom are quashed.

14. The Petitioner shall deposit the cost of Rs. 50,000/- and the Respondent No. 2 shall deposit the cost of Rs. 50,000/- in the account mentioned below within three (4) weeks from today.

Account Name :	Bar Council of Maharashtra and Goa Advocate Aid Fund.
Bank Name :	State Bank of India
Branch Name :	Mumbai Main Branch
Account Number :	10996711937
IFSC Code :	SBIN0000300
Type of Account :	Saving A/c

³ 2017 9 SCC 641

15. The compliance affidavit, along with the proof of deposit, shall be filed by the Petitioner and Respondent No. 2 in the Registry of this Court on or before 15.06.2026.

16. Writ Petition No. 2154 of 2026 is disposed of.

(ASHWIN D. BHOBE, J.)