

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

CRIMINAL APPLICATION NO. 147 OF 2026

Ashutosh Pandurang Kate And Anr.

...Applicants

Versus

The State of Maharashtra And Ors.

...Respondents

Mr. Kumar M. Ghind, learned Advocate for the Applicants.
Applicant Nos. 1 & 2 are present in the Court.

Mr. Prasanna P. Malshe, learned A.P.P. for the State/Respondent.
Mr. Ankesh R. Thakur, learned Advocate for Respondent Nos. 2 & 3.
Respondent Nos. 2 & 3 are present in the Court.
PSI Mr. Chiranjiv Dalalwad attached to Pimpri Police Station is present
in the Court.

**CORAM : ASHWIN D. BHOBE, J.
DATE : 3rd FEBRUARY 2026.**

P.C. :

1. Heard Mr. Kumar Ghind, learned Advocate for the Applicants, Mr. Prasanna Malshe, learned A.P.P. for the State/Respondent and Mr. Ankesh Thakur, learned Advocate for Respondent Nos. 2 & 3.

2. This Criminal Application is preferred by the Applicants under Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023, for quashing of the First Information Report bearing C.R. No. 758 of 2025 dated 23.12.2025 registered with Pimpri Police Station, District-Pimpri-Chinchwad for the offences punishable under Sections 118(1), 115(2), 352 & 3(5) of the Bharatiya Nyaya Sanhita, 2023.

3. Applicants are present in the Court along with their Advocate Mr. Kumar Ghind. They are identified by Mr. Kumar Ghind, learned Advocate appearing for them. Mr. Kumar Ghind tenders the photo identity proofs (Aadhar Cards) of the Applicants, which are taken on record and marked as “**X Colly.**” for identification. Respondent Nos. 2 & 3 are present in the Court along with their Advocate Mr. Ankesh Thakur. Mr. Ankesh Thakur tenders the photo identity proofs (Aadhar Cards) of Respondent Nos. 2 & 3, which are taken on record and marked as “**X-1 Colly.**” for identification.

4. Mr. Kumar Ghind and Mr. Ankesh Thakur jointly submit that the dispute between Applicants and Respondent Nos. 2 & 3 is amicably resolved and therefore, criminal proceedings may not be continued and the same be quashed.

5. Respondent Nos. 2 & 3, who are present in the Court state that they do not intend to pursue/prosecute the criminal proceedings filed at their instance and therefore, they have given No Objection for quashing of the criminal proceedings. Mr. Ankesh Thakur, learned Advocate tenders Affidavits dated 20.01.2026 & 21.01.2026, affirmed by Respondent Nos. 2 & 3 before the respective Notaries at Thane & Pune. Same are taken on record and marked as “**X-2**” & “**X-3**” for identification. Respondent Nos. 2 & 3 state that the Affidavits (X-2 & X-3) have been filed by them out of their own free will and without any pressure, force or coercion from any person. They state that the contents of Affidavits dated 20.01.2026 & 21.01.2026 are as per their say. They refer to paragraph no. 2 of the respective Affidavits (X-2 & X-

3) and submit that they have No Objection for quashing of the FIR.

6. Applicant Nos. 1 & 2, who are present in the Court state that the dispute is amicably resolved with Respondent Nos. 2 & 3.

7. Mr. Prasanna Malshe, learned A.P.P. for the State/Respondent states that no purpose would be served by continuing with the criminal proceedings in view of the statements made by Respondent Nos. 2 & 3, who are present in the Court and their statements in the Affidavits dated 20.01.2026 & 21.01.2026 (X-2 & X-3). He therefore submits that the impugned FIR can be quashed. He however insists for imposition of cost on the parties.

8. Mr. Kumar Ghind and Mr. Ankesh Thakur on instructions from Applicants and Respondent Nos. 2 & 3, who are present in the Court, state that an amount of Rs. 25,000/- would be paid jointly as costs.

9. Having regards to the facts as placed before me, the nature of dispute, the amicable settlement arrived between the parties, the statements made on oath by Respondent Nos. 2 & 3 (Affidavits dated 20.01.2026 & 21.01.2026 at X-2 & X-3) and having regards to the judicial 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 Vs. State of Gujarat and Anr.*³, there is no impediment in allowing this Criminal Application.

1. (2012)10 Supreme Court Cases 303.

2. (2014)6 Supreme Court Cases 466.

3. (2017) 9 SCC 641.

10. In view of the above, Criminal Application is allowed in terms of prayer clause (A), subject to payment of cost of Rs. 25,000/-. Consequently, the FIR bearing C.R. No. 758 of 2025 dated 23.12.2025 registered with Pimpri Police Station, District-Pimpri-Chinchwad for the offences punishable under Sections 118(1), 115(2), 352 & 3(5) of the Bharatiya Nyaya Sanhita, 2023, is quashed. Criminal proceedings against the Applicants arising out of the impugned FIR are closed.

11. Applicants and Respondent Nos. 2 & 3 shall deposit cost of Rs. 25,000/- in the following account within a period of 2 weeks from today and furnish proof of deposit before the Registry of this Court by filing an Affidavit of compliance on or before 05.03.2026 :-

The High Court Employees Medical Welfare Fund at Mumbai
Account No.: 000120110001337
Bank : Bank of India
Branch : Mumbai Main
IFSC Code : BKID0000001

12. Criminal Application No. 147 of 2026 is disposed of in the above said terms.

[ASHWIN D. BHOBE, J.]

GITALAXMI
KRISHNA
KOTAWADEKAR
Digitally signed
by GITALAXMI
KRISHNA
KOTAWADEKAR
Date:
2026.02.11
19:38:16 +0530