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

CRIMINAL APPLICATION NO. 210 OF 2026

Ratnadeep Balkrishna Tople and ors. : Applicants.
Versus
State of Maharashtra and ors. : Respondents.

Mr. Nihar Ghag i/by Adv. Darshan Zagade for the Applicants.
Mr. Sukanta A Karmakar, APP for the Respondent/State.
Mr. Deep Padachh for the Respondent Nos.2 to 5.
PSI Balasaheb Takmoge, Versova Police Station present.

CORAM : ASHWIN D. BHOBE, J.

DATED : 24 FEBRUARY 2026

PC:-

1. Heard Mr. Nihar Ghag, learned Advocate for the Applicants, Mr. Sukanta Karmakar, learned APP for the Respondent/State and Mr. Deep Padachh, learned Advocate for Respondent No.2.

2. This Application under Section 528 of the Bhartiya Nagarik Suraksha Sanhita, 2023 is preferred by the Applicants

for quashing the FIR bearing 1006 of 2025 dated 06 December 2025 registered with Versova Police Station, Mumbai for the offences punishable under Sections 74, 79, 115(2) and 351(2) r/w 3(5) of the Bharatiya Nyaya Sanhita, 2023.

3. Applicants are present in the Court and are identified by their Advocate Mr. Nihar Ghag. He tenders the Photostat copies of the Identity Cards (five in number) of the Applicants, which are taken on record and marked as **“X-Colly”** for identification.

4. Respondent Nos. 2 to 5 are present in the Court and are identified by their Advocate Mr. Deep Padachh. He tenders the Photostat copies of the Identity Cards (four in number) of the Respondent Nos.2 to 5, which are taken on record and marked as **“X-1 Colly”** for identification.

5. Mr. Deep Padachh, learned Advocate for the Respondent Nos.2 to 5, states that he has placed on record the Affidavits

of Respondent Nos. 2 to 5, all dated 20 February 2025, affirmed by Respondent Nos.2 to 5 before the Notary Mr. Suhas Ghag. The same are marked as “X-2 Colly” for identification.

6. Mr. Nihar Ghag, learned Advocate for the Applicants and Mr. Deep Padachh, learned Advocate for the Respondent Nos. 2 to 5, submit that the Applicants and the Respondent No.2 are neighbours. They submit that the Respondent Nos. 3 to 5 are friends of the Respondent No.2, who were present along with the Respondent No.2 on the date of incident. They submit that with the intervention of elders and family members of the Applicants and the Respondent No.2, they have amicably resolved the dispute. They submit that the Respondent Nos. 2 to 5 have filed Affidavits (X-2 Colly) giving their no objection for quashing of the criminal proceedings filed by the Respondent No.2 against the Applicants. They submit that the Respondent No.2 in her Affidavit has stated the reasons for giving her no objection. They, therefore, submit that the criminal proceedings may not be continued

and the request made by the Applicants and the Respondent Nos. 2 to 5 be accepted.

7. Respondent Nos. 2 to 5 state that the said Affidavits (X-2 colly) are filed out of their own free will and without any pressure or coercion from any person. They state that the contents of the Affidavits (X-2 colly) are as per their say. They reiterate their no objection for quashing of the criminal proceedings.

8. Paragraph Nos. 5, 6 and 7 of the Affidavit filed by Respondent No.2 are quoted herein below :-

“5. I say that the dispute between myself and the Applicants arose due to a misunderstanding and momentary anger. The parties are neighbours residing in the same residential building and share common facilities.

6. I say that the incident occurred in the heat of the moment and was not pre-planned or intentional in nature.

7. I say that upon calm discussion and reflection, all misunderstandings between the parties have been cleared and normal relations have been restored.”

9. Mr. Sukanta Karmakar, learned APP for the Respondent/State, submits that the dispute between the neighbours was sought to be given a flavour of criminal proceedings by the Applicants and the Respondent Nos. 2 to 5. He, however submits that the parties having now resolved their dispute amicably and the Respondent Nos 2 to 5 having given their no objection by filing the Affidavits (X-2 Colly), no purpose would be served in continuing with the criminal proceedings. He therefore submits that the impugned FIR can be quashed subject to imposition of costs.

10. Mr. Nihar Ghag, learned Advocate for the Applicants and Mr. Deep Padachh, learned Advocate for the Respondent Nos. 2 to 5, on instructions, submit that the Applicants and Respondent Nos.2 to 5 shall deposit appropriate costs.

11. Considering the aforesaid circumstances, the nature of

dispute, the matter being settled between the Applicants and the Respondent No.2, the statement of Respondent No. 2 in the Affidavit (X-2) and 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 *Parbatbhai Aahir @ Parbatbhai vs The State Of Gujarat*³, there is no impediment in allowing this Application.

12. In view of the above, Criminal Application No. 210 of 2026 is allowed in terms of prayer clause (a) subject to payment of costs of Rs.25,000/- to be paid jointly by the Applicants and, Rs. 25,000/- to be paid jointly by the Respondent Nos. 2 to 5 in the below mentioned Accounts within a period of two weeks from today and file in the Registry of this Court the compliance affidavit along with the proof of deposit on or before 18 March 2026. Consequently, the impugned FIR bearing 1006 of 2025 dated 06 December 2025 registered with Versova Police Station, Mumbai is quashed.

¹ 2012 10 SCC 303

² 2014 6 SCC 466

³ 2017 9 SCC 641

The Applicants and the Respondent No.2 shall deposit their respective costs in :-

Account Name : Armed Forces Battle Casualties Welfare Fund

Account Number : 90552010165915

Bank Name : Canara Bank

Branch : South Block, Defence Headquarters New Delhi-
110011

IFSC Code : CNRB0019055

13. This Criminal Application is allowed in the above-said terms.

(ASHWIN D. BHOBE, J.)