

lgc

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

CRIMINAL APPLICATION NO.218 OF 2026

Sandip Shankar Mahajan : Applicant
Versus
The State of Maharashtra and anr. : Respondents.

Mr. Kishan Chaudhari, for the Applicant
Mr. Tanveer G Khan, APP for the Respondent/State.
Mr. Rajabhau S Chaudhari, for the Respondent No.2.

CORAM : ASHWIN D. BHOBE, J.
DATED : 10 FEBRUARY 2026

PC:-

1. Heard Mr. Kishan Chaudhari, learned Advocate for the Applicant, Mr. Tanveer Khan, learned APP for the Respondent/State and Mr. Rajabhau S Chaudhari for Respondent No.2.

2. This Applicant under Section 528 of the Bhartiya Nagarik Suraksha Sanhita, 2023 is preferred by the Applicant for quashing the FIR bearing CR No.125 of 2021 registered with Kothrud Police Station, Pune for the offences punishable under Sections 376 and 376(2) of the Indian Penal Code and the Sessions Case No.1062 of 2022 pending before the learned Sessions Court at Pune.

3. Applicant is present in the Court and is identified by his Advocate Mr. Kishan Chaudhari. He tenders the Photostat copy of the Identity Cards of Applicant, which is taken on record and marked as “X-” for identification.

4. Respondent No.2 is present in the Court and is identified by her Advocate Mr. Rajabhau Chaudhari. He tenders Photostat copy of the Identity Card of Respondent No.2, which is taken on record and marked as “X-1” for identification.

5. Advocate Mr. Kishan Chaudhari and Advocate Rajabhau Chaudhari submit that the Applicant and the Respondent No.2 have resolved the dispute amicably. They submit that the Applicant and the Respondent No.2 were having friendly relations. They submit that a misunderstanding between them resulted in filing of the complaint against the Applicant.

6. Mr. Rajabhau Chaudhari, learned Advocate for the Respondent No.2, states that the Affidavit dated -24 January 2026, affirmed by Respondent No.2 before Registry of this Court is placed on record. The same is marked as “X-2” for identification.

7. Respondent No. 2 states that she has narrated the reasons for filing of the complaint and the reason for now giving no objection for quashing of the criminal complaint. She submits that the said Affidavit (X-2) is filed out of her own free will and without any pressure or coercion from any

person. She states that the contents of the Affidavit (X-2) are as per her say. She reiterates her no objection for quashing of the criminal proceedings. She specifically states that she has resolved the dispute in order to save her family and for the betterment of her two children.

8. Mr. Tanveer Khan, learned APP for the Respondent/State submits that in view of the statement made by the Respondent No.2 in her Affidavit (X-2), this Court may quash the criminal proceedings filed by the Respondent No.2 against the Applicant, however, subject to the costs being paid by the Applicant.

9. Mr. Kishan Chaudhari, learned Advocate for the Applicant, on instructions, submits that the Applicant shall deposit an amount of Rs.25,000/- as costs.

10. Considering the aforesaid circumstances, the nature of dispute, the matter being settled between the Applicant and the Respondent No.2, the Respondent No.2 having given her no objection 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.

¹ 2012 10 SCC 303

² 2014 6 SCC 466

³ 2017 9 SCC 641

11. In view of the above, Criminal Application No.136 of 2026 is allowed in terms of prayer clause (a) subject to payment of costs of Rs.25,000/- to be paid by the Applicant. Consequently, the impugned FIR bearing CR No.125 of 2021 registered with Kothrud Police Station, Pune and the chargesheet which is registered as Sessions Case No.1062 of 2022 pending before the learned Sessions Court at Pune are quashed.

12. The Applicants and the Respondent No.2 shall deposit the costs of Rs.25,000/- in the below mentioned Account within a period of two weeks from today and file in the Registry the compliance affidavit along with the proof of deposit on or before 09 March 2026.

Central Police Welfare Fund
Account No: 914010029005759
Bank : Axis Bank Limited
Branch : Worli, Mumbai (M.H.), Mumbai - 400 025
IFSC Code: UTIB00000060

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

(ASHWIN D. BHOBE, J.)