

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

CRIMINAL APPLICATION NO.231 OF 2026

Pratik Dhirendra Lakhani and anr : Applicants
Versus
The State of Maharashtra and anr. : Respondents.

**Mr. Ashok P Mundargi, Senior Advocate a/w Mr. Prashant P
Raul, Mr. Akshay Bafna and Adv. K Mehta, for the
Applicants.**

Mr. Tanveer G Khan, APP for Respondent/State.

Mr. Mainak Adhikary, for Respondent No.2.

CORAM : ASHWIN D. BHOBE, J.

DATED : 10 FEBRUARY 2026

PC:-

1. Heard Mr. Ashok Mundargi, learned Senior Advocate for the Applicants, Mr. Tanveer Khan, learned APP for the Respondent/State and Mr. Mainak Adhikary, 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 C.R.No.32/2021 registered with Cyber Cell South Region Police Station, Mumbai and the

Chargesheet filed before the Metropolitan Magistrate, 18th Court, Girgaon, Mumbai vide CC No.321/PW/2023.

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

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

5. Mr. Ashok Mundargi, learned Senior Advocate for the Applicants and Mr. Mainak Adhikary, learned Adocate for Respondent No.2, submit that the parties have amicably resolved the dispute between them. They submit that the nature of the dispute between the parties was essentially a commercial transaction. They submit that the Respondent

No.2 has given no objection for quashing of the criminal proceedings against the Applicants.

6. Mr. Mainak Adhikary states that the Affidavit dated 09 February 2026 affirmed by Respondent No.2 before the Notary Mr. Shashank Thatte, Fort, Mumbai-23, is placed on record. The same is marked as “X-2” for identification.

7. Respondent No. 2 states that the said Affidavit (X-2) is filed out 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 for quashing of the criminal proceedings.

8. Mr Tanveer Khan, learned APP for the Respondent/State submits that the Applicants and the Respondent No.2 have involved the police machinery to settle the commercial transaction by giving it a criminal flavour. He however submits that the Applicants and the Respondent No.2 having now resolved their commercial dispute and Respondent No.2

having given no objection for quashing the criminal proceedings, no purpose would be served in continuing with the criminal proceedings. He however submits that the criminal proceedings can be quashed subject to the Applicants as well as the Respondent No.2 paying costs.

9. Mr. Ashok Mundargi and Mr. Mainak Adhikary, on instructions, submits that the Applicants and the Respondent No.2 shall deposit an amount of Rs.50,000/- each as costs.

10. Considering the aforesaid circumstances, the nature of dispute, the matter being settled between the Applicants and the Respondent No.2, the Respondent No.2 having given his 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.231 of 2026 is allowed in terms of prayer clause (b), subject to payment of costs of Rs.1,00,000/-. Consequently, the impugned FIR bearing No. C.R.No.32/2021 registered with Cyber Cell South Region Police Station, Mumbai and the Chargesheet filed before the Metropolitan Magistrate, 18th Court, Girgaon, Mumbai vide CC No.321/PW/2023 are quashed.

12. The Applicants and the Respondent No.2 shall deposit the costs of Rs.50,000/- each in the below mentioned Accounts 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. The Respondent No.2 shall deposit the amount of Rs.50000/- in

Deepstambh Foundation, Delhi

Bank Name : ICICI Bank
Account Name : Deepstambh Foundation Delhi
Account Number : 697401700986
Account Type : Savings
IFSC Code : ICIC0006974
MICR Code : 425229003

and the Applicants shall deposit the amount of Rs.50000/- in

Central Police Welfare Fund

Account No: 914010029005759

Bank : Axis Bank Limited

Branch : Worli, Mumbai (M.H.), Mumbai - 400 025

IFSC Code: UTIB0000060

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

(ASHWIN D. BHOBE, J.)