

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
CRIMINAL APPLICATION NO. 266 OF 2026**

Vaishnavi Jyoti Shantharam Pitta And Ors.
V/S.

... Applicants

State Of Maharashtra And Anr.

... Respondents

Mr. Vipul Dada Patil, for the Applicants.

Ms. Vaishnavi Pitta, Mr. Ashvin Tambe, Applicant Nos. 1 and 2, respectively, present in Court. Ms. Jyotsna Chaturvedi, Applicant No.3, present through VC mode.

Ms. Shubha Shirsat, for the Respondent No. 2.

Ms. Lata Chaturbhuji Khubchandani, Respondent No.2, present in Court.

Mr. Tanveer Khan, APP for the Respondent – State.

CORAM : ASHWIN D. BHOBE, J.

DATE : 23rd FEBRUARY, 2026.

P.C. :

1. Heard Mr. Vipul Patil, learned Advocate for the Applicants, Mr. Tanveer Khan, learned APP for the Respondent - State and Ms. Shubha Shirsat, learned Advocate for Respondent No.2.

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

quashing of the FIR bearing No. 32 of 2022, registered with Cyber Police Station, Bandra, Mumbai and the chargesheet filed on 26th October, 2023, registered as Case No. 2009/PW/2023, pending before the learned 12th MM Court, Bandra Mumbai.

3. Applicant Nos. 1 and 2 are present in Court and Applicant No. 3, is present through VC. Applicant Nos. 1, 2 and 3 are identified by their Advocate Mr. Vipul Patil. He tenders the Photostat copies of the Identity Cards (3 Nos.) of the Applicants, which are taken on record and marked as **“X-Colly”** for identification.

4. Respondent No. 2 is present in Court and is identified by her Advocate Ms. Shubha Shirsat. She tenders the Photostat copy of the Identity Card of the Respondent No. 2, which is taken on record and marked as **“X-1”** for identification.

5. Mr. Vipul Patil and Mr. Shubha Shirsat, submit that the private commercial dispute between the Applicants and Respondent No. 2 is amicably resolved. They submit that the subject matter of the impugned FIR does not involve any public

money or any amount pertaining to public institution or financial institution. They submit that the Applicants have repaid the entire amount due and payable to the Respondent No. 2. Ms. Shubha Shirsat, submits that in view of the settlement of the said private dispute and the Applicants having paid the entire amount, Respondent No. 2 does not intend to continue with the criminal proceedings and she has no objection for quashing of the criminal proceedings initiated on the basis of her complaint.

6. Ms. Subha Shirsat, states that the Affidavit dated 23rd February, 2026 affirmed by Respondent No. 2, before the Registry of this Court, is placed on record. Same is marked as “X-2” for identification.

7. Respondent No. 2 states 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.

8. Mr. Tanveer Khan, learned APP, submits that the parties having resolved the dispute and the Respondent No. 2 having filed

the Affidavit (X-2) out of her own free will by recording the reasons and the manner in which the parties have settled the dispute, the criminal proceedings which are subject matter of the impugned FIR may be quashed. He insists for imposition of cost on the Applicants.

9. Mr. Vipul Patil, on instructions from the Applicant Nos. 1 and 2 who are present in Court and Applicant No. 3 who is appearing through VC submit that they shall deposit appropriate cost.

10. Considering the aforesaid circumstances, the nature of dispute being a private dispute between the Applicants and Respondent No. 2, the matter being settled between the Applicants and the Respondent No. 2, the statements of Respondent No. 2 in the Affidavit (X-2), no useful purpose will be served by allowing the criminal proceeding to continue. 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 *Parbatbhai Aahir @ Parbatbhai vs The State Of*

1 2012 10 SCC 303

2 2014 6 SCC 466

*Gujarat*³ and *Madhavrao Jiwajirao Scindia & Ors. v/s. Sambhajirao Chandrojirao Angre & Ors.*⁴, there is no impediment in allowing this Application.

11. In view of the above, Criminal Application No. 266 of 2026 is allowed in terms of prayer clause (a) subject to payment of costs of Rs. 75,000/-, by the Applicants as condition precedent. Consequently, the impugned FIR bearing No. 32 of 2022 and the chargesheet registered as Case No. 2009/PW/2023, pending before the 12th MM Court, Bandra Mumbai are quashed.

12. The Applicants shall deposit cost of Rs. 25,000/- each, in the below mentioned account of Armed Forces Battle Casualties Welfare Fund within a period of two weeks from today.

Armed Forces Battle Casualties Welfare Fund	
Account No. :	90552010165915
Bank Name :	Canara Bank
Branch	South Block, Defence Headquarters, New Delhi - 110 011.

³ 2017 9 SCC 641

⁴ (1998) 1 SCC 692.

IFSC Code :	CNRB0019055
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13. The compliance affidavit along with the proof of deposit be filed in the Registry of this Court on or before 18th March, 2026.

14. Criminal Application No. 266 of 2026 is allowed in above said terms.

(ASHWIN D. BHOBE, J.)

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