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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO.407 OF 2026

Chetan Gunwantrao Patil : Petitioner
Versus.
Ruchi Harshal Surana and Anr. : Respondents.

Mr. Swapnil Sangle i/by Adv. Prajit Sahane for the Applicant.
Mr. Shubhankar Kulkarni for the Respondent No.1.
Mrs. Rajeshree V Newton, APP for the Respondent/State.

CORAM : ASHWIN D. BHOBE, J.

DATED : 02 APRIL 2026

PC:-

1. At the outset, Mr. Swapnil Sangle, learned Advocate for the Applicant, seeks leave to amend the present Application challenging the charge-sheet, which was filed after the filing of this Application. The request made by Mr. Swapnil Sangle, is not objected to by Mr. Shubhankar Kulkarni, learned Advocate for the Respondent No.1, and Mrs. Rajeshree Newton, learned APP for the Respondent/State. In view of the no objection, leave granted to carry out the amendment. Mr. Swapnil Sangle states that the Amendment will be carried out forthwith. Permission granted.

2. Heard Mr. Swapnil Sangle, learned Advocate for the Applicant, Mr. Shubhankar Kulkarni, learned Advocate for the

Respondent No.1 and Mrs. Rajeshree Newton, learned APP for the Respondent/State.

3. This Application under Section 528 of the Bhartiya Nagarik Suraksha Sanhita, 2023, is filed by the applicant for quashing the FIR bearing No. 06 of 2026 (impugned FIR) dated 6th January 2026, registered at Sarkarwada Police Station, Nashik and the charge sheet filed in RCC No. 700 of 2026, pending before the Chief Judicial Magistrate, Nashik, arising out of the impugned FIR.

4. Mr. Swapnil Sangle, learned Advocate for the Applicant, and Mr. Shubhankar Kulkarni, learned Advocate for Respondent No.1, submit that the subject matter of the impugned FIR was a private dispute between the Applicant, Respondent No. 1 and Prithviraj Patil, who was subsequently added in the said proceedings, which led to the filing of the impugned FIR. They submit that this private dispute arose from a misunderstanding between them and has now been amicably resolved. They submit that, in view of the resolution, Respondent No.1 has no objection to quashing the impugned FIR and the charge-sheet arising from it. Furthermore, they submit that Respondent No.1 is no longer interested in pursuing the criminal proceedings and therefore request the quashing of the impugned FIR and the charge-sheet.

5. The Applicant is present in the Court and is identified by Advocate Mr. Swapnil Sangle. Mr Swapnil Sangle states that Prithviraj Patil is present in the Court and identifies him. He

tenders photostat copies of the identity cards of the Applicant and Prithviraj Patil, which are taken on record and marked with “**X-Colly**” for identification.

6. Respondent No.1 is present in the court and is identified by her Advocate Mr. Shubhankar Kulkarni. He tenders the photocopy of Respondent No.1’s identity card, which is taken on record and marked with “**X-1**” for identification.

7. Mr. Shubhankar Kulkarni, learned Advocate for the Respondent No.1, states that the Affidavit dated 2nd April 2026, affirmed by Respondent No.1 before the Notary A R Surve, is placed on record, the same is marked with “**X-2**” for identification.

8. Respondent No. 1 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 states that the impugned FIR was filed due to a misunderstanding and personal differences between her husband Harshal Dilip Surana and the Applicant. She submits that the dispute has been amicably resolved and therefore, she does not wish to continue the criminal proceedings against the Applicant and Prithviraj Patil. She states that she has no objection to the quashing of the impugned FIR and the charge sheet arising from it. She reiterates that she has no objection to the quashing of the impugned FIR and the criminal proceedings against the Applicant and Prithviraj Patil. Respondent No. 1

states that she wishes to end the criminal proceedings. She refers to paragraph nos. 2 to 4 of her Affidavit (X-2), which are transcribed herein below *verbatim*.

“2. I say that the said FIR came to be registered due to certain misunderstandings and personal differences between my husband Harshal Dilip Surana and the present applicants, which have now been amicably resolved and after filing captioned Application the police machinery completed the investigation and filed Chargesheet before Ld. CJM Nashik vide No 700 of 2026 wherein the one more accused namely Prithviraj Yuvraj Pawar against whose I have no any complaint and also there is no grievance against him since inception therefore, the impugned FIR as well Chargesheet may pleased be quash against both the accused.

3. I say that I have no objection if this Hon'ble Court quash the said FIR and Chargesheet, as there remains no grievance or dispute between the abovesaid parties.

4. I say that I have given this affidavit voluntarily, without any coercion, pressure or undue influence from anyone.”

9. Mrs. Rajeshree Newton, learned APP for the Respondent/State, submits that a private personal dispute was given the facade of criminal proceedings and the police machinery was used to settle the private dispute. She, however, states that as the personal dispute between the Applicant, Prithviraj Patil and Respondent No.1 having been amicably resolved, she has no objection to the quashing of the criminal proceedings against the Applicant and Prithviraj Patil. She, however, insists on imposing costs on Applicant, Prithviraj Patil, and Respondent No.1 for misusing the police machinery and wasting the precious time of the court.

10. Mr Swapnil Sangle, learned Advocate for the Applicant and Mr Shubhankar Kulkarni, learned Advocate for the Respondent No.1, on instruction from the Applicant, Prithviraj Patil and the Respondent No.1 submit that appropriate costs would be paid.

11. Considering the facts mentioned above, the submissions of the learned Advocates for the parties, the nature of the dispute being a purely personal matter between the Applicant, Prithviraj Patil and Respondent No.1, which arose from a misunderstanding as stated by Respondent No.1 in her Affidavit (X-2) and her statement before this court. Furthermore, since Respondent No.1 has no objection to the quashing of the impugned FIR and the criminal proceeding arising from it and has expressed her intention not to continue with the criminal proceedings, no useful purpose will be served by continuing the criminal prosecution. Having regard to the pronouncements of the Hon'ble Supreme Court in *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.407 of 2026 is allowed in terms of prayer clauses (a) and (a-1), subject to the payment of cost of Rs. 25,000/- each by the

¹ 2012 10 SCC 303

² 2014 6 SCC 466

³ 2017 9 SCC 641

Applicant and Prithviraj Patil, and Rs. 25,000/- as cost to be paid by Respondent No.1, the impugned FIR and the charge-sheet arising from it are quashed. Payment of costs is a condition precedent.

13. The Applicant, Prithviraj Patil and the Respondent No.1 shall deposit their respective costs in the below-mentioned Accounts within a period of three weeks from today and file in the Registry of this Court the compliance affidavit along with the proof of deposit on or before 24 April 2026.

a] The Applicant and Prithviraj Patil each shall deposit the amount of Rs.25,000/- in :-

Account Name : BCMG's Advocate Academy& Research Center
Account Number : 000120110001327
Bank Name : Bank of India
Branch Name : Mumbai Main Branch
IFS Code : BKID000001
Type of Account : Current Account

b] The Respondent No.1 shall deposit the amount of Rs.25,000/- in :-

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

14. The Criminal Application No.407 of 2026 is disposed of.

(ASHWIN D. BHOBE, J.)