

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO. 444 OF 2026

Yusuf Jakhrul Khan And Ors. ... Applicants

V/S.

The State Of Maharashtra And Anr. ... Respondents

Mr. Nandkumar Sawant, learned Advocate for the Applicant Nos. 1 to 4.

Ms. Pranali Misal, learned Advocate for the Respondent No. 2.

Mrs. Anuja Gotad, learned APP for the Respondent – State.

PSI. Anil Ghaywat,, Bhandup Police Station, is present.

CORAM : ASHWIN D. BHOBE, J.

DATE : 17th March, 2026.

P.C. :

1. Heard Mr. Nandkumar Sawant, learned Advocate for the Applicants, Mrs. Anuja Gotad, learned APP for the Respondent-State and Ms. Pranali Misal, 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 the FIR bearing No. 641 of 2025 (impugned FIR) registered with Bhandup Police Station for the offences punishable under Sections

115(2), 118(1), 118(2) 351(2), 352 r/w section 3(5) of the Bharatiya Nyaya Sanhita, 2023.

3. Applicants are present in the Court and are identified by their Advocate Mr. Nandkumar Sawant. He tenders the Photostat copies of the Identity Cards (4 nos) of 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 Ms. Pranali Misal. She tenders the Photostat copy of Identity Card of Respondent No. 2, which is taken on record and marked as **“X-1”** for identification.

5. Ms. Pranali Misal, states that the Affidavit dated 06.03.2026 affirmed by Respondent No. 2 before the Notary J. B. Bankar is placed on record. Same is marked as **“X-2”** for identification.

6. 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.

7. Mr. Nandkumar Sawant and Ms. Pranali Misal, learned Advocates submit that the Applicants and the Respondent No. 2 are neighbors. They submit that it was on account of an issue pertaining to the parking of vehicles that a friendly talk turned violent. They submit that in the said scuffle, the umbrella in the hands of the Applicant No. 1 accidentally hit the Respondent No. 2, resulting in injury being caused to the Respondent No. 2. They submit that the family members, elders and common friends intervened in the matter and brought about the settlement between the Applicants and the Respondent No. 2. They submit that the Applicants and the Respondent No. 2 have resolved the dispute amongst them and in view of the resolution of the said dispute, the Respondent No. 2 has given his no objection for quashing of the impugned FIR. They therefore submit that the impugned FIR be quashed as the parties want to keep a cordial environment in the neighborhood. They refer to the statements of Respondent No. 2 in paragraph Nos. 3, 4, 5 and 6 of the Affidavit

(X-2) which are transcribed herein below in verbatim:-

3. I say that with the intervention of my parents, relatives, family members and friends, I have settled all the disputes with the Petitioners Org. Accused herein and that, I have no objection if the said FIR No.641/2025 registered with Bhandup Police Station, Mumbai under section 115(2), 118 (1), 118(2), 351 (2), 352 r/w section 3(5) of BNS Act., is quashed against the Petitioners. I am hereby giving my free and irrevocable consent for the quashing of the F.I.R No.641/2025 registered with Bhandup Police Station, Mumbai under section 115(2), 118 (1), 118(2), 351 (2), 352 r/w section 3(5) of BNS Act., against the Petitioners. I say that the consent given by me is free and irrevocable and nobody has coerced or pressurized me to give the said consent.

4. I say and submit that, I hereby withdraw all allegations leveled against the Petitioners /Org. Accused herein and further state that, I have arrived at a compromise, in order to live in peace therefore, no useful purpose would be served by proceeding further with the said F.I.R No.641/2025 registered with Bhandup Police Station, Mumbai under section 115(2), 118 (1), 118(2), 351 (2), 352 r/w section 3(5) of BNS Act. against the Petitioners/Org. Accused.

5. I say that I have received sum of Rs.1,00,000/- from the Petitioners abovenamed as per the direction of the Hon'ble High court given to the petitioners while granting Anticipatory bail to them.

6. I say that I am hereby requesting this Hon'ble court to quashed the F.I.R No.641/2025 registered with Bhandup Police Station, Mumbai under section 115(2), 118 (1), 118(2), 351 (2), 352 r/w section 3(5) of BNS Act.

8. Mr. Nandkumar Sawant submits that during the Anticipatory Bail Application Nos. 2326 of 2025 and 2266 of 2025, filed by the Applicant, this Court had considered the aspect of the Applicants and the Respondent No. 2 being neighbors and had called upon the Applicants to compensate the Respondent No. 2 towards his medical expenses. He tenders the photostat copies of the Order dated 18th September, 2025 passed in Anticipatory Bail Application Nos. 2326 of 2025 and 2266 of 2025, which are taken on record and collectively marked **“X-3 Colly”** for identification.

9. Mrs. Anuja Gotad submits that the Applicants and the Respondent No. 2 having settled the dispute and the statements made by the Respondent No. 2 in his Affidavit (X-2), she has no objection for quashing of impugned FIR. However, she insists for imposition of cost on the Applicants.

10. Mr. Nandkumar Sawant, on instructions from the Applicants submit that the Applicants shall deposit appropriate costs.

11. Considering the above said facts, the submissions of the learned Advocates for the parties, the Applicants and the Respondent No. 2 being neighbors, the matter being settled between the Applicants and the Respondent No.2, the Order (X-3 Colly), the statements made by the Respondent No. 2 in the Affidavit (X-2) and his no objection for the quashing of the criminal proceedings, no useful purpose will be served by allowing the criminal prosecution 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 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. 444 of 2026 is allowed in terms of prayer clause (a) subject to the payment of costs of Rs. 75,000/- Payment of cost is condition precedent by the Applicants. Consequently, the impugned FIR bearing No. 641 of 2025, registered with Bhandup Police Station, Mumbai is quashed.

1 2012 10 SCC 303

2 2014 6 SCC 466

3 2017 9 SCC 641

13. The Applicants shall deposit the cost of Rs. 75,000/- 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:	Canara Bank
Branch:	South Block, Defence Headquarters, New Delhi-110 011.
IFSC Code:	CNRB0019055

14. The compliance affidavit along with the proof of deposit be filed by the Applicants in the Registry of this Court on or before 02.04.2026.

15. Criminal Application No. 444 of 2026 is allowed in above-said terms.

(ASHWIN D. BHOBE, J.)