

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

CRIMINAL APPLICATION NO. 456 OF 2026

Prasanna Kantilal Mehta & Ors.

...Applicants

Versus.

The State of Maharashtra & Anr.

...Respondents

Mr. Siddharth N. Sutaria a/w Mr. Hrishikesh Ghorpade, learned Advocates for the Applicants.

Applicant Nos. 1 to 7 are present in the Court.

Mr. Sukanta A. Karmakar, learned A.P.P. for the State/Respondent.

Mr. Tanmay Yogesh More, learned Advocate for Respondent No. 2.

Respondent No. 2 is present in the Court.

CORAM : ASHWIN D. BHOBE, J.

DATE : 12th MARCH 2026.

P.C. :

1. Heard Mr. Siddharth Sutaria, learned Advocate for the Applicants, Mr. Sukanta Karmakar, learned A.P.P. for the State/Respondent and Mr. Tanmay More, learned Advocate for Respondent No. 2.

2. This Criminal Application is filed by the Applicants under Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023, seeking to quash the First Information Report bearing No. 374 of 2020 dated 30.11.2020, registered with Market Yard Police Station, Pune City, for offences punishable under Sections 141, 143, 147, 149, 324 & 504 of the Indian Penal Code, 1860 ("Impugned FIR"),

and the charge-sheet in Regular Criminal Case No. 2440 of 2021 pending before the learned 11th Joint Civil Judge (Junior Division) and Judicial Magistrate First Class, Pune, arising from the impugned FIR.

3. Mr. Siddharth Sutaria, learned Advocate for the Applicants, states that Accused No. 5 (Mahesh Tanaji Kamble) has passed away on 08/03/2024. He submits a copy of his Death Certificate.

4. Mr. Siddharth Sutaria and Mr. Tanmay More submit that the Applicants and Respondent No. 2 are neighbours. They submit that a friendly situation turned violent, leading to a quarrel between the Applicants and Respondent No. 2. They submit that Respondent No. 2 sustained simple injuries during the quarrel. Relying on the Affidavit (X-2) filed by Respondent No. 2, they submit that the Applicants and Respondent No. 2 have amicably resolved the matter, with Respondent No. 2 giving No Objection for quashing the criminal proceedings and agreeing to withdraw all criminal cases filed by him against the Applicants. They submit that the Applicants and the Respondent No. 2 intend to live in peace. They therefore request that the criminal proceedings be discontinued.

5. Applicants are present in the Court along with their Advocate Mr. Siddharth Sutaria. Mr. Sutaria identifies the Applicants and submits photocopies of their Aadhar Cards as photo identity proof, which are taken on record and marked as “X Colly.” for identification.

6. Respondent No. 2 is present in Court with his advocate, Mr. Tanmay More. Mr. Tanmay More identifies Respondent No. 2 and

submits a photocopy of his Aadhaar Card as photo identity proof, which is taken on record and marked as “X-1” for identification.

7. Mr. Tanmay More tenders Affidavit dated 12.03.2026 affirmed by Respondent No. 2 before the Notary Advocate Ms. Veena S. Yadav, Malad (East), Mumbai. Same is taken on record and marked as “X-2” for identification. Respondent No. 2, who is present in the Court, states that he has filed the said Affidavit dated 12.03.2026 (X-2) out of his own free will and without any pressure, force or coercion from any person. He states that the contents of Affidavit (X-2) are as per his say. He reiterates that the dispute between him and the Applicants is amicably resolved, as such he gives No Objection for quashing of the criminal proceedings initiated at his instance.

8. Mr. Sukanta Karmakar, learned A.P.P. for the State/Respondent submits that the Applicants and Respondent No. 2, who are neighbours, having amicably resolved their dispute, and in view of the statement made by Respondent No. 2 in the Affidavit (X-2), the criminal proceedings arising out of the impugned FIR, can be quashed. He submits that as the police machinery was put in action, he insists on the imposition of exemplary costs on the parties.

9. Considering the facts before me, the dispute is a quarrel between neighbours, as stated by Mr. Siddharth Sutaria and Mr. Tanmay More. The matter has been amicably settled between the Applicants and Respondent No. 2, and Respondent No. 2's statements on oath in the Affidavit (X-2) confirm this. Therefore,

continuing the criminal prosecution would serve no useful purpose. Having regard to the pronouncements of the Hon'ble Supreme Court in the cases of *Gian Singh v/s. The State of Punjab and Another*¹, *Narinder Singh and Others v/s. State of Punjab and Another*² and *Parbatbhai Aahir Alias Parbatbhai Bhimsinbhai Karmur and Others Vs. State of Gujarat and Anr.*³, there is no impediment to allow this Criminal Application.

10. Mr. Siddharth Sutaria and Mr. Tanmay More, on instructions from the Applicants and Respondent No. 2, state that appropriate costs will be paid.

11. In view of the above, this Application is allowed in terms of prayer clause (A), subject to the Applicants and the Respondent No.2 paying the costs as a condition precedent. Consequently, the impugned FIR No. 374 of 2020 dated 30.11.2020, registered with Market Yard Police Station, Pune City, and the charge-sheet bearing R.C.C. No. 2440 of 2021 pending before the 11th Joint Civil Judge (Junior Division) and Judicial Magistrate First Class, Pune, arising from the impugned FIR, are quashed. Criminal proceedings against the Applicants stemming from the impugned FIR and charge-sheet are closed.

12. Applicants shall jointly deposit the amount of Rs. 70,000/- as costs into the specified account within three weeks from today and submit proof of deposit to the Court Registry by filing an Affidavit of compliance on or before 16.03.2026.

1. (2012)10 Supreme Court Cases 303.

2. (2014)6 Supreme Court Cases 466.

3. (2017) 9 SCC 641.

The High Court Employees Medical Welfare Fund at Mumbai

Account No.: 000120110001337

Bank : Bank of India

Branch : Mumbai Main

IFSC Code : BKID0000001

13. Respondent No. 2 shall deposit Rs. 25,000/- as costs into the specified account within three weeks from today and submit proof of deposit to the Court Registry by filing an Affidavit of compliance on or before 16.03.2026.

Bank Name : Axis Bank Limited
Branch Name : Worli, Mumbai (M.H.), Mumbai-400
025
Account Name : **Central Police Welfare Fund, Director
General MS, Mumbai**
Account Number : 914010029005759
IFSC Code : UTIB0000060

14. Criminal Application No. 456 of 2026 is disposed of.

[ASHWIN D. BHOBE, J.]

GITALAXMI
KRISHNA
KOTAWADEKAR

Digitally signed
by GITALAXMI
KRISHNA
KOTAWADEKAR
Date:
2026.03.17
21:02:30 +0530