

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
CRIMINAL APPLICATION NO. 528 OF 2026**

Ashish Govind More and Anr. ... Applicants
Versus.
The State of Maharashtra and Ors. ... Respondents

Mr. Priyal Sarda, for the Applicants.

Mr. Shubham Sane, for the Respondent No. 2

Ms. Rajeshree Newton, APP for the Respondent – State.

PSI Rupesh Khadse, MIDC Bhosari Police Station, is present.

CORAM : ASHWIN D. BHOBE, J.

DATE : 27th March, 2026.

P.C. :

1. Heard Mr. Priyal Sarda, learned Advocate for the Applicants, Ms. Rajeshree Newton, learned APP for the Respondent – State and Mr. Shubham Sane, learned Advocate for the Respondent No.

2.

2. This Criminal Application under Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023, is filed by the Applicants seeking to quash the FIR dated 21.02.2025, bearing No. 89 of 2025, registered with MIDC Bhosari Police Station (impugned FIR) for offences punishable under Section 408 read with 34 of the Indian

Penal Code, 1860, as well as the Chargesheet No. 159 of 2025 dated 19.05.2025, registered as RCC No. 1338 of 2025, pending before the learned Judicial Magistrate First Class, Pimpri, arising from it.

3. Mr. Priyal Sarda and Mr. Shubham Sane, learned Advocates, submit that the subject matter of the impugned FIR pertains to a commercial transaction. They submit that the Applicants were associated with a company called “Jayshree Electron Pvt. Ltd.” (hereafter “Company”). They submit that due to a misunderstanding regarding a financial transaction undertaken by the Applicants, the Company filed a complaint against them through its Authorised Representative Mr. Mohan Arjun Shende. They submit that the misunderstanding concerning the financial dealings was resolved between the Applicants and Respondent No. 2. They submit that as a result of this amicable resolution, the Applicants paid Rs. 11,65,640/- to the Company. Therefore, they contend that the Company has agreed not to oppose the quashing of the criminal proceedings against the Applicants. They submit that the Company has authorized Mr. Mohan Arjun Shende

(Manager Admin of Jayshree Electron Pvt. Ltd.) to represent the Company in these proceedings and to submit the required affidavits, including an affidavit for no objection to quash the criminal proceedings. They submit that the Authority Letter, along with the Affidavit dated 27.03.2026 is filed by Mohan Arjun Shende under the instructions and authorization of the Company. They submit that the Company is not interested in pursuing the criminal proceedings further. Consequently, they request that the impugned FIR and chargesheet arising from the impugned FIR be quashed.

4. Applicants are present in court and are identified by their Advocate Mr. Priyal Sarda. He tenders photocopies of the identity cards (2 Nos.) of the Applicants, which are taken on record and marked with **“X-Colly”** for identification.

5. Mr. Mohan Arjun Shende (Manager Admin of Jayshree Electron Pvt. Ltd.), authorized representative of the Respondent No. 2, is present in Court and is identified by his Advocate Mr. Shubham Sane. He submits a photocopy of the identity card of Mr. Mohan Arjun Shende, which is taken on record and marked **“X-1”**

for identification.

6. Mr. Shubham Sane states that the affidavit dated 27.03.2026, affirmed by Mr. Mohan Arjun Shende, before the Registry of this Court, is marked with **“X-2”** for identification.

7. Mr. Shubham Sane, learned Advocate for Respondent No. 2, tenders the Authority Letter dated 25.03.2026 issued by Respondent No.2, authorizing Mr. Mohan Arjun Shende to represent the Company in the present Application, which is taken on record and marked as **“X-3”** for identification.

8. Mr. Mohan Arjun Shende states that he is duly authorized by the Company to appear and represent on behalf of the Company, by the Authority Letter dated 25.03.2026 (X-3). He submits that the Affidavit (X-2) is filed by him on instructions of the Company, contents of which are based on the records of the Company. He submits that the Company has instructed him to state before this Court that the Company is not interested in continuing the criminal proceedings. He states that the Affidavit is filed 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 the no-objection to the quashing of the impugned FIR and the criminal proceedings.

9. Ms. Rajeshree Newton, learned APP for the Respondent – State, submits that a purely commercial dispute was given a criminal veneer and the police machinery was activated. She states that the Applicants and Respondent No. 2, having now amicably resolved the commercial dispute, she has no objection to the quashing of the impugned FIR and the chargesheet arising from it. However, she submits that since a commercial dispute was cloaked as a criminal matter and police resources were used to settle it, the Applicants and Respondent No. 2 should be saddled with exemplary costs.

10. Mr. Priyal Sarda and Mr. Shubham Sane, learned Advocates, on instructions from the Applicants and the Respondent No. 2, submit that they shall deposit appropriate costs.

11. Considering the facts mentioned above, the submissions of the learned Advocates for the parties, the nature of the dispute

being predominantly civil and in fact a commercial dispute which the parties have now settled, and the Company through its Authorized Representative Mr. Mohan Arjun Shende having given no objection in the Affidavit (X-2), no useful purpose would be served in continuing with the criminal prosecution. Having regard 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. 528 of 2026 is allowed in terms of prayer clause (a) subject to payment of costs of Rs. 25,000/- by the Applicants and Rs. 25,000/- by the Respondent No. 2. (the Company). Consequently, the impugned FIR and the chargesheet arising out of the impugned FIR are quashed.

13. The Applicants shall deposit the cost of Rs. 25,000/- in the

1 2012 10 SCC 303

2 2014 6 SCC 466

3 2017 9 SCC 641

account mentioned below within a period of three (3) weeks from today.

Central Police Welfare Fund	
Director General M. S. Mumbai.	
Account No. :	914010029005759
Bank:	Axis Bank Limited
Branch:	Worli, Mumbai (M.H.), Mumbai - 400 025
IFSC Code:	UTIB0000060

14. The Respondent No. 2 (the Company) shall deposit the cost of Rs. 25,000/- in the account mentioned below, within a period of three (3) weeks from today.

The High Court Employees Medical Welfare Fund at Mumbai	
Account No. :	000120110001337
Bank:	Bank of India

Branch:	Mumbai Main
IFSC Code:	BKID0000001

15. The compliance affidavit along with the proof of deposit be filed by the Applicant and the Respondent No. 2 in the Registry of this Court on or before 22.04.2026.

16. Criminal Application No. 528 of 2026 is disposed of.

(ASHWIN D. BHOBE, J.)

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