

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

CRIMINAL WRIT PETITION NO.5857 OF 2025

- | | | |
|-------------------------|---|----------------|
| 1. Indudevi Anil Tiwari |] | |
| 2. Abhay Anil Tiwari |] | |
| 3. Mamta Anil Tiwari |] | |
| 4. Jyoti Anil Tiwari |] | .. Petitioners |

Versus

- | | | |
|--|---|----------------|
| 1. The Senior Inspector of Police,
Achole Police Station, Nallasopara |] | |
| 2. Smt. Madhuri Pintu Singh, |] | |
| 3. The State of Maharashtra |] | .. Respondents |

Mr. Swapnil Wagh with Mr. Somvrat Kurlekar, Advocates for the Petitioners.

Mr. S.V. Gavand, Additional Public Prosecutor for Respondent Nos.1 and 3.

Ms. Esha Joshi, Advocate for Respondent No.2.

Petitioner Nos.3 and 4 and Respondent No.2 are present in Court.

**CORAM : SHREE CHANDRASHEKHAR, CJ. &
GAUTAM A. ANKHAD, J.**

DATE : 14TH NOVEMBER 2025.

PER, GAUTAM A. ANKHAD, J.

The present petition is filed under Article 226 of the Constitution of India and section 528 of the Bhartiya Nyaya Sanhita 2023 seeking quashing of FIR bearing No.115 of 2025 dated 10th April 2025 registered with Achole Police Station under sections 352, 351(2), 324(4), 115(2), 118(1) of the Bhartiya Nyaya Sanhita, 2023 and charge-sheet bearing RCC Case No.15557 of 2025 filed before the learned Judicial Magistrate First Class 2nd Vasai Court.

2. The FIR lodged at the instance of the respondent no.2

pertains to altercation that took place between the parties because of certain disputed transaction. The parties have since then amicably resolved their differences.

3. The respondent no.2 is present in the court and identified by her learned counsel, Ms. Joshi. An affidavit dated 12th November 2025 on behalf of the respondent no.2 is tendered by Ms. Joshi which records that the respondent no.2 has no objection to quashing of the FIR. The said affidavit is taken on record. Petitioner nos.3 and 4 are also present in the Court. The parties have reiterated in Court that the dispute between them has been resolved amicably.

4. As held by the Hon'ble Supreme Court in "*Gian Singh v. State of Punjab*" (2012) 10 SCC 303, when the dispute between the parties is private in nature, then this Court while exercising its inherent jurisdiction can quash the proceedings if it is satisfied that the dispute between the parties is a personal one. The offence involved in this case is of a private dispute and considering the settlement arrived at by the parties, the continuation of the criminal proceedings would be a futile exercise. In light of the same, the present criminal **Writ Petition No.5857 of 2025 is allowed** in terms of prayer clause (a) which reads as under:

"(a) That this Hon'ble Court be pleased to quash and set aside FIR No.115 of 2025 registered by the officers of the Achole Police Station and charge-sheet bearing R.C.C. Case No.1557 of 2025 pending before the learned Judicial Magistrate First Class 2nd Vasai Court on such terms and conditions as this Hon'ble Court deem fit and proper in the interest of justice."

[GAUTAM A. ANKHAD, J.]

[CHIEF JUSTICE]