

Amberkar

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

WRIT PETITION NO. 3806 OF 2026

Bharat Navinchandra Gala

Sole Proprietor of Arihant Builders & Developers .. Petitioner

Versus

The State of Maharashtra & Anr.

.. Respondents

.....

- Mr. Abhinesh Yadav, Advocate for Petitioner
- Ms. Sangeeta Phad, APP for State
- Mr. Dilip H. Shukla, Advocate for Respondent No. 2

.....

CORAM : MILIND N. JADHAV, J.

DATE : AUGUST 21, 2026

P. C.:

1. Heard Mr. Yadav, learned Advocate for Petitioner; Ms. Phad, learned APP for State and Mr. Shukla, learned Advocate for Respondent No. 2.

2. Present Petition under Section 528 of Bharatiya Nagarik Suraksha Sanhita, 2023 is filed for quashing and setting aside of C.R. No. 219 of 2024 registered with Malad Police Station, Mumbai for the offence punishable under Section 306 of the IPC and Chargesheet No. 1397/PW/2026 arising therefrom and filed before the learned 24th Metropolitan Magistrate Court at Borivali, Mumbai.

3. It is stated that parties have reconciled their dispute, *inter alia*, with regard to the dealings by the deceased with the Petitioner who was the husband of Respondent No. 2. Petitioner is before me as also

Respondent No. 2 and I have interacted both of them. Respondent No. 2 informs the Court that the issue stands resolved and settled once and for all and she is happy with the settlement. Affidavit dated 29.04.2026 (appended at page Nos. 39-43 of Petition) is filed by Respondent No. 2 to that effect wherein she has given her consent and would submit that the settlement has fructified.

4. In view of the affidavit filed by Respondent No. 2 and in view of the facts and circumstances of the present case, it would be appropriate if the matter is settled once for all. However in view of the criminal law set into motion, I direct the Petitioner to deposit costs of Rs. 25,000/- to **A.K. Munshi Yojana's J.T. Sheth Mandbuddhi Vikas Kendra**, a Special School imparting education and training to the needs of 150 special children in the field of Education (Classes for 6 to 18 years), early intervention(upto 6 years) and vocational training (18 years above) having its school address and building at A.K. Munshi Yojana Chowk, 3rd Panjarapole Lane, C.P. Tank, Mumbai – 400 004 [Contact Nos. 22425513 / 22423654] registered under the Society Registration Act, XXI of 1980 under No. : 387/81 GBBSD and the Public Trust Act, XXIX of 1950 under No. F-6809. RCI Reg. No. 0163 within a period of two weeks from the date of uploading of this order as a condition for allowing the present Petition. Copy of receipt of

payment of costs shall be placed on record within a period of two weeks for compliance.

5. In view of the above, Petition stands allowed and disposed in terms of prayer clause (a) which reads thus:-

"(a) This Hon'ble Court may be pleased to issue an appropriate writ, order or direction thereby quashing and setting aside C.R. No. 219 of 2024 registered with Malad Police Station, Mumbai and C.C. No. 1397/PW/2026 pending before the learned 24th Metropolitan Magistrate Court at Borivali, Mumbai, together with all consequential proceedings arising therefrom."

6. Though the present Petition is disposed, it is kept for compliance of this order on **4th September, 2026** under the caption "**for Compliance**".

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[MILIND N. JADHAV, J.]

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