

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

CRIMINAL APPLICATION NO. 465 OF 2015

Smt. Farheen Mohammed Arif Sheikh ..Applicant

v/s.

Arjun Ashok Singh & Anr. ..Respondents

Mr. Momin Mohd. Farooque for the Applicant.

Mr.Dilip P. Shinde for the Respondent No.1.

Mrs. M.M. Deshmukh, APP for the Respondent/State.

**CORAM : RANJIT MORE &
SMT. ANUJA PRABHUDESSAI,JJ.
DATED : AUGUST 10, 2015.**

P.C.

1. Heard. The original complainant has approached this court invoking the powers under Section 482 of Cr.PC. to quash and set aside proceedings in C.R. No.I 61 of 2013 dated 8.12.2013, pending on the file of learned Judicial Magistrate, First Class at Mahabaleshwar, being RCC No.51 of 2014.

2. On 8.12.2013 the petitioner gave information to Panchgani Police Station that the respondent no.1, on 7.12.2013 has kidnapped

her minor daughter aged 17 years by name Muneefa Mohd. Arif Shaikh. On the basis of the information, Panchgani Police Station, registered FIR No. I 61 of 2014 for the offence punishable under Section 363 of IPC.

3. Perusal of the FIR shows that the girl Muneefa was 17 years of age and she had herself left the house and accompanied the respondent no.1. Learned Counsel for the petitioner placed on record the Marriage Certificate issued by the Office of Registration of Muslim Marriage, under Delhi Board.

4. In the above circumstances the petitioner has approached this court for quashing and setting aside the aforesaid criminal proceedings.

5. The petitioner, as well as her daughter Muneefa, and the respondent no.1 are present before the court. On specific query they submit that the respondent no.1 is married with Muneefa on 4.8.2014. The marriage certificate is produced on record. In view of the same it is submitted that Criminal proceedings may be quashed and set aside. The respondent no.1 is at present undergoing medical course at Delhi. The petitioners daughter Muneefa is staying along

with the respondent at Ghaziabad. In the circumstances, in our opinion, it would be in the interest of the petitioner, as well as her daughter Muneefa to quash the subject proceeding.

6. Since the pendency of the criminal proceeding would jeopardize the matrimonial life as well as family relations between the parties, the application is allowed in terms of prayer clause (c).

7. The RCC No.51 of 2014 pending on the file of the JMFC at Mahabaleshwar, accordingly stands quashed and set aside.

(ANUJA PRABHUDESSAI, J.)

(RANJIT MORE, J.)