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**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
WRIT PETITION NO. 3001 OF 2015**

1. Shri Balasaheb Jagannath Thombare

2. Sachin Balasaheb Thombare

3. Dnyaneshwar Balasaheb Thombre

....Petitioners

versus

1. The State of Maharashtra

2. Gorakh Dattatray Dhobale

....Respondents

Mr. Abhijit P. Kulkarni advocate for the petitioners.

Mrs. M. H. Mhatre, APP for the State.

Mr. Manoj Badgujar, advocate for respondent No.2.

**CORAM : RANJIT MORE &
ANUJA PRABHUDESSAI, JJ.**

DATED : 29th JULY, 2015.

P.C.:

Heard learned counsel and learned APP appearing for the respective parties.

2. The petition is filed for quashing and setting-aside FIR bearing C.R.No 73 of 2015 registered with Natepute Police Station, District - Solapur, at the instance of respondent No.2, for offences punishable under Sections 353, 332, 504, 506 read with Section 34 of the Indian Penal Code, 1860.

3. Pending investigation, the parties have settled their dispute amicably and have approached this Court for quashing and setting-aside the aforesaid FIR. Respondent No.2 has filed an affidavit dated 29th July, 2015. In paragraph 6, he has given his no objection for quashing aforesaid FIR. Respondent No.2 is personally present before the Court. On being questioned, he specifically stated that he has gone through the affidavit and has fully understood the contents thereof and has no objection for quashing the subject FIR.

4. It can, thus, be seen that the dispute was totally personal in nature, which has now been settled amicably. In these circumstances and especially in view of law laid down by the Apex Court in the case of **Narinder Singh and ors. versus State of Punjab and anr. 2014 AIR (SCW) 2065**, we find that no purpose would be served by keeping the criminal proceedings pending except burdening the criminal Courts which are already overburdened. In that view of the matter and in the interests of justice, the FIR is required to be quashed and set-aside. However, at the same time, costs need to be saddled on the parties for using the police and judicial mechanism for settling their personal disputes.

5. Accordingly, the petition is allowed in terms of prayer clause (a) subject to payment of costs of Rs.5000/- by the petitioners. The petitioners shall pay the cost or provide any law books worth Rs.5000/-

to Kirtikar Law Library and thereafter produce the receipt thereof on the file of this petition within a period of two weeks from today, failing which, the criminal writ petition shall stand dismissed automatically without further reference to the Court.

6. Subject to above, the criminal writ petition stands disposed of.

(ANUJA PRABHUDESSAI, J.)

(RANJIT MORE, J.)