

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

CRIMINAL APPLICATION NO. 7 OF 2015

Prashant Bhanudas Dighe & Ors.

.. Applicants

v/s.

The State of Maharashtra & Anr.

..Respondents

Mr. S.S. Musale for the applicants

Mr. Subhash Hulyalkar for respondent no.2

Mrs. S.V. Sonawane, APP for respondent State

Mr. S.B. Tadakhe, PSI, Wakad Police Station, Pune present in Court

CORAM : RANJIT MORE &

SMT. ANUJA PRABHUDESSAI, JJ.

DATED : 3rd FEBRUARY, 2015.

P.C.

1. This application is filed under Section 482 of the Cr.P.C. for quashing of the proceedings of C.R. No.136 of 2014, registered with Wakad Police Station, Pune. The said C.R. was filed against the applicants at the instance of the respondent no.2 for the offence punishable under Sections 326, 323, 427, 504 r/w 34 of the IPC.

2. During the pendency of the said crime, parties have settled their dispute amicably and in pursuance of the same, by consent filed

the present application for quashing the proceedings of the said C.R. The respondent no.2 has filed an affidavit at page 29 to the application. In paragraph 8, he has given no objection for quashing the proceedings of the said C.R. In paragraph 6, he has stated that he is filing the said affidavit without there being any force or coercion of any nature from anyone. The respondent no.2 is personally present in the Court. On specific query made by us, he has stated that he has gone through the contents of the affidavit and he has no objection if the said criminal proceedings are quashed. He has also stated that he has made the affidavit without there being any influence or coercion. Perusal of the same does not show injury inflicted on the respondent no.3. Certificate shows that injuries are not of serious nature.

3. We are of the view that the dispute is of personal nature and the ratio in the case of *Narinder Singh Vs. State of Punjab (2014) AIR SCW 2065* would squarely apply to the facts of the present case and as such there is no impediment in quashing the criminal complaint.

4. Accordingly, Criminal Application is allowed in terms of prayer clause (A). Applicants to pay cost of Rs. 10,000/- to the respondent no.2. Cost is condition precedence.

(ANUJA PRABHUDESSAI, J.)

(RANJIT MORE, J.)