

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

CRIMINAL WRIT PETITION NO. 20 OF 2015

Amardeep Galsin

..Petitioner

v/s.

The State of Maharashtra & Anr.

..Respondents

Mr. Karan Bhosale i/b. Neha Dilip Bhosale for the Petitioner.

Mrs. Amruta R. Pai for the Respondent No.2.

Mr.K.V.Saste, APP for the Respondent/State.

**CORAM : RANJIT MORE &
SMT. ANUJA PRABHUDESSAI,JJ.
DATED : MARCH 13, 2015.**

P.C.

1. The complainant in FIR No. 409 of 2013 registered against the respondent no.2 at Versova Police Station for the offence punishable under Section 509, 504, 506 and 452 of IPC has approached this Honourable Court invoking the jurisdiction under Article 226 of the Constitution of India r/w. the provisions of Section 482 of Cr.P.C. for quashing the proceeding of the said FIR.

2. The petitioner has filed affidavit at Exhibit B to the petition. In para 3 she has stated that after filing of the said FIR, the father of the respondent no.2 i.e. Prem Singh immediately intervened and promised that the respondent no.2 herein shall not trouble, harass, cause any nuisance/inconvenience to the petitioner or indulge in any acts that would attract the provisions of IPC. Therefore she had decided not to pursue the said FIR. In para 4 and 5 of the Deed of Compromise she has given no objection for quashing the proceeding of the FIR No. 409 of 2013.

3. Petitioner is personally present before the Court. On specific query made by us, she submitted that she has made the said statement in the affidavit on her own free will, without there being any pressure or undue influence. She has further confirmed that she has no objection for quashing the criminal proceedings in question initiated by her against the respondent no.2 for the offence punishable under sections 509, 504, 506 and 452 of the Indian Penal Code, 1860.

4. It can thus be seen that the dispute between the parties is settled. The allegation made against the respondent no.2 is personal in nature and no element of public law is involved in the crime. In the circumstances, and especially, in view of the law laid down by the Apex Court in the case of Madan Mohan Abbot vs. State of Punjab, [(2008) 4 SCC 582], we find that no purpose would be served by keeping the criminal proceedings pending except burdening the Criminal Courts which are already overburdened.

5. In the light of the principles laid down by the Apex Court in the aforesaid decision as well as in the case of Narinder Singh vs. State of Punjab [2014 AIR SCW 2065] we are of the considered view that there is no impediment in quashing the criminal proceedings.

6. Accordingly, petition is allowed. FIR No.409 of 2013 dt. 20th November, 2013 registered with Versova Police Station, and the chargesheet filed therein is quashed and set aside.

7. As a condition precedent for this order to take effect, the

respondent no.2 shall pay costs of Rs.10000/- (Rupees Ten Thousand Only) to the cancer hospital, namely **Shanti Avedana Sadan**, situated at 216, Mount Mary Road, Bandra (West), Mumbai 400 050 and produce a copy of the receipt on the file of this petition within a period of two weeks from today.

(ANUJA PRABHUDESSAI, J.)

(RANJIT MORE, J.)