

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

CRIMINAL WRIT PETITION NO. 234 OF 2014

Sarvar Khan & Anr.

.. Petitioners

v/s.

The State of Maharashtra & Anr.

..Respondents

Mr. V.V. Purwant for the petitioners

Mr. Prashant Kamble i/b Pratibha Borade for respondent no.2

Mrs. U.V. Kejriwal, APP for respondent State

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

DATED: 17th AUGUST, 2015.

PC.

1. Heard learned Counsel for the respective parties and learned APP for the State.

2. This petition is filed under Article 226 of the Constitution of India for quashing of FIR being C.R. No.498 of 2013 registered with Samata Nagar Police Station, Mumbai at the instance of respondent no.2 for offence punishable under Sections 385, 506

r/w 34 of the IPC.

3. Pending investigation, the parties have settled their dispute amicably and in pursuance of the said understanding, they have filed the present petition for quashing of the said C.R., by consent. The respondent no.2 has filed an 14th January, 2015. In paragraph 6, she has stated that she has no objection if the said FIR is quashed. The respondent no.2 is personally present in the Court. On specific query made by us, she submitted that she has no objection for quashing the FIR and consequential criminal proceedings.

4. 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.

5. Accordingly, the Writ Petition is made absolute in terms of prayer clause (a), subject to petitioner to pay costs of Rs.20,000/- to Shanti Avedna Sadan, Mount Mary Road, Bandra (W), Mumbai within a period of two weeks from the date of receipt of a copy of this order. Cost is condition precedence.

(ANUJA PRABHUDESSAI, J.)

(RANJIT MORE, J.)