

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

CRIMINAL WRIT PETITION NO. 291 OF 2015

Shivaji Rohidas Takalkar & Anr.

.. Petitioners

v/s.

The State of Maharashtra & Ors.

..Respondents

Mr. V.R. Garad for the petitioners

Mr. J.A. Dagade for respondent no.2

Mr. F.R. Shaikh, APP for the respondent State

CORAM : RANJIT MORE &

SMT. ANUJA PRABHUDESSAI, JJ.

DATED : 28th JANUARY, 2015.

P.C.

1. Heard. This petition is filed under Article 226 of the Constitution of India under the provisions of Section 482 of the Cr.P.C. for quashing of FIR No.142 of 2013 filed by the respondent no.2 against the petitioners with Khandeshwar Police Station, Navi Mumbai for offence punishable under Sections 306 r/w 34 of the IPC.

2. During the investigation of the said crime, the petitioners and

respondent no.2 have settled their dispute amicably and agreed for quashing of the said FIR. Accordingly, respondent no.2 filed affidavit dated 28.01.2015. In paragraph 5 of the affidavit, respondent no.2 has agreed to quash the said FIR. Respondent no.2 is personally present in the Court. On specific query made by us, he submitted that he has no objection for quashing the FIR and consequential criminal proceedings.

3. We are of the view that 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, the rule is made absolute in terms of prayer clause (a).

(ANUJA PRABHUDESSAI, J.)

(RANJIT MORE, J.)