

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

**CRIMINAL APPLICATION NO. 123 OF 2015**

Kamal Jagdishkumar Gupta .. Applicant

v/s.

The State of Maharashtra & Anr. ..Respondents

Mr. P.V. Vare for the applicant

Mr. Prashant Mohite for respondent no.2.

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

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

**DATED: 25<sup>th</sup> FEBRUARY, 2015.**

**P.C.**

1. Heard learned Counsel for the respective parties. This application is filed under the provisions of Section 482 of the Cr.P.C. for quashing of the proceedings of C.R. No.239 of 2014, registered with Amboli Police Station. Initially C.R. No.14 of 2014 was registered with Kurla Police Station on 10.07.2014 at the instance of respondent no.2 against the applicant for the offence punishable under Sections 420, 465, 467, 468 and 471 of the IPC

and this FIR was later transferred to Amboli Police Station.

2. During the pendency of the investigation, the parties have arrived at amicable settlement and in pursuance of the said understanding, they have agreed to quash the said criminal proceedings by consent. Respondent no.2 has filed an affidavit dated 25.02.2015. In paragraph 5, he has given no objection for quashing the proceedings of the said C.R. No.239 of 2014. 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 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. The Criminal Application is allowed in terms of prayer clause (a), subject to petitioner to pay cost Rs.25,000/- to Shanti Avedna Sadan, Opp. Mount Mary Church, Bandra (W), Mumbai, within a period of two weeks from today. Cost is condition precedence.

**(ANUJA PRABHUDESSAI, J.)**

**( RANJIT MORE, J.)**