

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

CRIMINAL WRIT PETITION NO. 553 OF 2014

Moin Asif Shaikh @ Batla & Ors.

.. Petitioners

v/s.

Mohseen Zulfikar Khan & Anr.

..Respondents

Ms. Jindagi Shah for the petitioners

Mr. Raunak Naik i/b S.R. Phanse for respondent no.1

Mr. K.V. Saste, APP for the respondent State

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

DATED: 3rd MARCH, 2015.

P.C.

1. This writ 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 the C.R. No.3 of 2014 registered with Nagpada Police Station, Mumbai. The said C.R. is registered against the petitioner at the instance of respondent no.1 for offence punishable under Sections 324, 506(ii), 504 r/w 34 of the IPC and Sections 37(i) and 125 of the Bombay Police Act.

2. During the pendency of the said criminal case, 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.1 accordingly has filed affidavit dated 14.02.2014. In paragraph 4 of the affidavit, he has given no objection for quashing the said FIR. Respondent no.1 is personally present in 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. Accordingly, the Petition is allowed in terms of prayer clause

(A), subject to petitioner to pay cost Rs.10,000/- 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.)