

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

CRIMINAL APPLICATION NO. 271 OF 2015

Mr. Ryan Roque Crasto .. Applicant

v/s.

The State of Maharashtra & Ors. ..Respondents

Mr. S.S. Butala i/b S.S. Butala & Associates for the applicant
Mr. K.V. Saste, APP for the respondent State

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

DATED: 15th APRIL, 2015.

P.C.

1. Heard. This application is filed under Section 482 of the Cr.P.C. for quashing the proceedings of C.C. No. 649/PW/2014, pending on the file of learned Metropolitan Magistrate, 31st Court, Vikhroli, Mumbai. The said case arises out of registration of FIR No.27 of 2014 registered with Parksite Police Station, Vikhroli, Mumbai at the instance of respondent no.3 for offence punishable under Sections 63(B) and 64 of the Copy Right Act, 1957. After completion of the investigation, charge-sheet is filed which is

numbered as C.C. No.649/PW/2014.

2. During the pendency of the trial, parties have settled their dispute and entered into an agreement, copy of which is annexed at Exh.B to the application. In terms of the said agreement, present application is filed for quashing the said criminal proceedings, by consent. Respondent no.3 has filed an affidavit dated 20.03.2015. In paragraph 4, he has given no objection for quashing the proceedings of C.C. No.649/PW/2014. The respondent no.3 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 Criminal Application is allowed in terms of prayer clause (a), subject to petitioners to pay costs of Rs.5,000/- to Shanti Avedna Sadan, Mount Mary Road, Bandra (W), Mumbai. Cost is condition precedence.

(ANUJA PRABHUDESSAI, J.)

(RANJIT MORE, J.)