

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

**CRIMINAL APPLICATION NO. 368 OF 2015**

Abdullah Saik Ahmad & Ors. .. Applicants

v/s.

Mohd. Sabir Sayyed Sadik Sayyed & Anr. ..Respondents

Mr. S.R. Gaud for the applicants

Mr. Mayur D. Sapkale for respondent no.1

Mr. S.K. Shinde, PP a/w Mrs. M.M. Deshmukh, APP for the  
respondent State

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

**DATED: 21<sup>st</sup> APRIL, 2015.**

**PC.**

1. Heard. This application is filed under the provisions of Section 482 of the Cr.P.C. for quashing and setting aside the FIR bearing C.R. No.145 of 2014 registered on 04.04.2015 with Nagpada Police Station, Mumbai. The said FIR is registered against the applicants at the instance of respondent no.1 for the offence punishable under Sections 326, 504, 452 r/w 34 of the IPC.

2. During the pendency of the said criminal case, parties have arrived at amicable settlement and in pursuance of the said understanding, they have agreed to quash the said C.R., by consent. Respondent no.1 accordingly has filed an affidavit dated 21.04.2015. In paragraph 5, he has given no objection for quashing and setting aside the said criminal proceeding being C.R. No.145 of 2014. Respondent no.1 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.

2. 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.

3. Accordingly, the Criminal Application is allowed in terms of prayer clause (B), subject to applicants to pay costs of Rs.10,000/- to Shanti Avedna Sadan, Mount Mary Road, Bandra (W), Mumbai within a period of four weeks from today. Cost is condition precedence. If the cost is not paid within stipulated period, the criminal application shall stand dismissed without any further reference to the Court.

**(ANUJA PRABHUDESSAI, J.)**

**( RANJIT MORE, J.)**