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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
WRIT PETITION NO. 1799 OF 2015

Mrs. Sweety Rishi ShahPetitioner
versus
1. State of Maharashtra
2. Mr.Rishi Madhusudan Shah
3. Mrs. Hansabhen Madhusudan Shah
4. Mr. Shailesh DoshiRespondents

Mr. K. P. Shah, advocate for the petitioner.
Mrs. M. M. Deshmukh, APP for the State.
Mr. Mahesh Rawool, advocate for respondent No.2.

CORAM : RANJIT MORE &
ANUJA PRABHUDESSAI, JJ.
DATED : 5th MAY, 2015.

P.C.:

The complainant herself has approached this Court under Article 227 of the Constitution of India with a prayer to quash and set-aside the FIR No.I-85 of 2013 registered with Bhayander Police Station for the offences punishable under Sections 498A, 323, 504 and 506 of the Indian Penal Code.

2. The petitioner is the wife of respondent No.2. Respondent No.3 is the mother-in-law and respondent No.4 is a family friend. Matrimonial dispute between the parties gave rise to filing of the subject complaint. Pending investigation, the parties to the petition have settled their dispute with the intervention of elders and in pursuance of an understanding arrived at between them, filed the present petition for quashing the FIR

No.I-85 of 2013. The petitioner is personally present before the Court. On being questioned, she specifically stated that she has gone through the contents of the petition and prays for allowing the petition in terms of prayer clause (b). She also stated that she has filed the petition and giving no objection for quashing the proceedings of the said FIR out of free will and without there being any pressure or coercion.

3. It can, thus, be seen that the matter has been amicably settled between the parties. Perusal of the complaint, makes it clear that the allegations are totally personal in nature. In these circumstances and especially in view of the law laid down by the Apex Court in the case of **B.S.Joshi versus State of Haryana AIR 2003 SC 1386**, we are of the view that quashing of the proceedings arising out of the aforesaid FIR would be in the interest of the petitioner. Besides, no purpose would be served by keeping the criminal proceedings pending except burdening the Criminal Courts which are already overburdened. In that view of the matter and in the interests of justice, the criminal proceedings arising out of the aforesaid FIR are required to be quashed. The petition is, accordingly, made absolute in terms of prayer clause [b] and is disposed of as such.

(ANUJA PRABHUDESSAI, J.)

(RANJIT MORE, J.)