

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

CRIMINAL APPLICATION NO. 461 OF 2015

Umar Khalil Shaikh @ Jagga & Ors. .. Applicants

v/s.

The State of Maharashtra ..Respondent

Mr. S.R. Gaud for the applicants

Respondent no.1 to 3 present in person

Mrs. M.H. Mhatre, APP for respondent State

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

DATED: 17th AUGUST, 2015.

P.C.

1. Heard learned Counsel for the respective parties and learned APP for the State.

2. This application is filed under the provisions of Section 482 of the Cr.P.C. for quashing of FIR bearing C.R. No.60 of 2015 registered with Byculla Police Station at the instance of respondent no.1 for offence punishable under Sections 326, 324,

506(2), r/w 34 of the IPC.

3. Pending investigation, the parties have settled their dispute amicably and in pursuance of the said understanding, they have filed the present application for quashing of the subject FIR, by consent. The respondent no.1 – first informant as well as respondent nos. 2 and 3 have filed common affidavit dated 11th August, 2015. In paragraph 5, they have given no objection to quash the subject FIR. Respondent nos. 1 to 3 are personally present in the Court. On specific query made by us, they submitted that they have no objection for quashing the FIR and consequential criminal proceedings.

4. 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.

5. Accordingly, the criminal application is allowed in terms of prayer clause (B), subject to applicants to pay costs of Rs.5,000/- each to Tata Memorial Hospital, Mumbai within a period of three weeks from the date of receipt of a copy of this order. Cost is condition precedence.

(ANUJA PRABHUDESSAI, J.)

(RANJIT MORE, J.)