

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

rpa

CRIMINAL APPLICATION NO.462 OF 2015

Siddharth Ratilal Mehta & Anr. .. Petitioners
Vs.
The State of Maharashtra & Anr. .. Respondents

....
Mr.Sabir Kumar, Advocate for the Petitioner.
Mr.Iyer Chidambaram Seshadri, Respondent No.2 present in-
person.
Mr.K.V. Saste, APP for the Respondent – State.

....
**CORAM : RANJIT MORE &
A.P. BHANGALE, JJ.**

DATED : MAY 8, 2015.

P.C. :

Heard the learned counsel appearing for the petitioner, the learned APP for Respondent No.1 – State of Maharashtra and respondent no.2 in person.

2 The above criminal application is filed under the provisions of Section 482 of the Code of Criminal Procedure, 1973 for quashing the FIR No.182 of 2012 registered with Chunnabhatti police station at the instance of respondent no.2 for the offences punishable under Sections 465, 468 and 471 of the Indian Penal Code.

3 Pending the investigation, the parties settled their dispute amicably and in pursuance of the understanding arrived at between the parties, the petitioners have approached this Court for quashing the subject FIR by consent.

4 Respondent no.2 has filed an affidavit dated 7th May, 2015. In paragraph 4 he has stated that he want to withdraw the subject FIR in view of the settlement arrived at between the parties. The respondent no.2 is personally present in the Court. He produced his Identity Card. We have perused the same and returned back the original. Photocopy of the Identity Card is placed on record. On specific query, he states that he has gone through the affidavit and understood the contents thereof. He also states that he has no objection for quashing the subject FIR. He further states that he is giving no objection for quashing the proceedings of the said FIR out of free will and without there being any pressure or coercion.

5 It can, thus, be seen that the disputes between the parties have been amicably settled. The dispute was purely personal in nature, which has now been settled amicably. In these circumstances and especially in view of law laid down by the Apex Court in the case of **Narinder Singh and ors. versus State of Punjab and anr. 2014 AIR (SCW) 2065,** we are of the

considered view that there is no impediment in quashing the proceedings of the subject FIR. Accordingly, Petition is allowed in terms of prayer Clause (a), subject to payment of cost of Rs.10,000/- to be paid by the petitioners to Shanti Avedna Sadan, an institute that takes care of the advanced and terminally ill cancer patients. The petitioners shall pay the said cost and produce the receipt thereof on the file of this Court within a period of four weeks from today, failing which, the petition shall stand dismissed automatically and the order of quashing of the FIR shall be treated as *non-est*. The payment of costs will be condition precedent.

(A.P. BHANGALE, J.)

(RANJIT MORE, J.)