

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

CRIMINAL APPLICATION NO. 523 OF 2015

Mahadev Sopana Khot & Anr. .. Applicants

v/s.

The State of Maharashtra & Ors. ..Respondents

Mr. D.H. Shukla for the applicants
Ms. Nirmal Bhosale for respondent no.2.
Mr. J.P. Yagnik, APP for the respondent State

**CORAM: RANJIT MORE &
SMT. ANUJA PRABHUDESSAI, JJ.
DATED: 16th JUNE, 2015.**

P.C.

1. Heard learned Counsel for the respective parties. Learned Counsel for the applicants seeks leave to amend the prayer clause so as to give the RCC No. Leave is granted. Necessary amendment shall be carried out forthwith.

2. This application is filed under the provisions of Section 482 of the Cr.PC. for quashing and setting aside the criminal proceedings of R.C.C. No.312 of 2014 pending before the 2nd

J.M.F.C. Baramati, Pune. The said case arises out of registration of FIR No.179 of 2014 registered with Baramati City Police Station, Pune against the applicants at the instance of respondent no.2 for the offence punishable under Sections 452, 324, 323, 504, 427 of the IPC.

2. During the trial, parties have settled their dispute amicably and in pursuance of the said understanding, they have filed the present application to quash the said criminal proceedings, by consent. Respondent no.2 accordingly has filed affidavit dated 16.06.2015. In paragraph 5, she has given no objection to allow the application. Respondent no.2 is personally present in the Court. On specific query made by us, she submitted that she 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 made absolute in terms of prayer clause (a), subject to applicants to pay costs of Rs.5,000/- to Shanti Avedna Sadan, Mount Mary Road, Bandra (W), Mumbai within a period of two weeks from the date of receipt of this order. Cost is condition precedence.

(ANUJA PRABHUDESSAI, J.)

(RANJIT MORE, J.)