

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

CRIMINAL APPLICATION NO. 532 OF 2015

Vishal Ramchand Ramani & Anr. ..Applicants

v/s.

The State of Maharashtra & Anr. ..Respondents

Mr. Subhash Hulyalkar for the Applicants
Mrs.M.H.Mhatre, APP for the Respondent/State.
Ms.Gudia Gupta for the Respondent No.2.

**CORAM : RANJIT MORE &
SMT. ANUJA PRABHUDESSAI,JJ.
DATED : JUNE 11, 2015.**

P.C.

1. This application is filed under the provisions of Section 482 of Cr.P.C. for quashing the proceeding of CR No. 3183 of 2014 registered with the Pimpri Police Station, Pune.
2. The said CR is registered against the applicants at the instance of the respondent no.2, for the offence punishable under Section 3(1) (x) of the Schedule Caste & Schedule Tribe (Prevention of Atrocity) Act, and Section 504 r/w. 34 of the Indian Penal Code.
3. During investigation parties settled their dispute amicably and

in pursuance of the understanding arrived between them, approached this Court for quashing the proceeding of the said C.R by consent.

4. The respondent no.2 accordingly has filed affidavit dated 11th June, 2015. In paragraph 8 of the affidavit, no objection is given for quashing the proceeding of the said CR.

5. Respondent No.2 is personally present before the Court. On specific query made by us, she submitted that she has made the said statement in the affidavit on her own free will, without there being any pressure or undue influence. She has further confirmed that she has no objection for quashing the criminal proceedings in question initiated by her against the Petitioner for the offence punishable under sections 3(1)(x) of the Schedule Caste & Schedule Tribe (Prevention of Atrocity) Act, and Section 504 r/w. 34 of the Indian Penal Code.

6. It can thus be seen that the dispute between the parties is settled. The allegation made against the petitioners is personal in nature and no element of public law is involved in the crime. In the circumstances, and especially, in view of the law laid down by the

Apex Court in the case of Madan Mohan Abbot vs. State of Punjab, [(2008) 4 SCC 582], we find that no purpose would be served by keeping the criminal proceedings pending except burdening the Criminal Courts which are already overburdened.

7. In the light of the principles laid down by the Apex Court in the aforesaid decision as well as in the case of Narinder Singh vs. State of Punjab [2014 AIR SCW 2065] we are of the considered view that there is no impediment in quashing the criminal proceedings.

8. Accordingly, application is allowed in terms of prayer clause (a).

9. As a condition precedent for this order to take effect, the Applicant shall pay costs of Rs.10000/- (Rupees Ten Thousand Only) to the cancer hospital, namely **Shanti Avedana Sadan**, situated at 216, Mount Mary Road, Bandra (West), Mumbai 400 050 and produce a copy of the receipt on the file of this application/petition within a period of two weeks from today.

(ANUJA PRABHUDESSAI, J.)

(RANJIT MORE, J.)