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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
CRIMINAL APPLICATION NO. 545 OF 2015

Mr. Prakash Kochupanakel VeluApplicant
versus
1.State of Maharashtra
2.Senior Inspector of Parksite Police Station
3.Prakash Sopan IngleRespondents

Mr. S. S. Butala i/b. S.S.Butala and Associates, advocates for the applicant.
Mr. K. V. Saste, APP for the State.

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

DATED : 20th JULY, 2015.

P.C.:

The application is filed under Section 482 of the Code of Criminal Procedure, 1973 for quashing and setting-aside the proceedings of criminal case No.851/PW/2014 pending on the file of 31st Metropolitan Magistrate at Vikroli, Mumbai. The said case arises out of FIR/Spl.LAC No.24/2014 registered with Parksite Police Station, Vikroli, Mumbai, at the instance of respondent No.3, for offences punishable under Sections 63B and 64 of the Copy Right Act, 1957.

2. Pending trial, the parties have settled their dispute amicably and have approached this Court for quashing the proceedings of the subject criminal case by consent. Respondent No.3 has filed an affidavit

dated 9th June, 2015. The said affidavit is annexed at page 64 of the application. In paragraph 4, he has given his no objection for quashing the proceedings of the aforesaid criminal case. Respondent No.3 is personally present before the Court. On being questioned, he specifically stated that whatever has been stated in the affidavit is true and correct and he has no objection for quashing the proceedings of the subject criminal case.

3. It can, thus, be seen that the dispute was totally 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 find that 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 are required to be quashed. However, at the same time, costs need to be saddled on the parties for using the police and judicial mechanism for settling their personal disputes.

4. Accordingly, the application is allowed in terms of prayer clause (a) subject to payment of costs of Rs.10000/- by the applicant. The applicant shall deposit the costs with Central Police Welfare Fund,

A/C.914010029005759 AXIS Bank, IFS Code-UTI B0000060 and thereafter produce the receipt thereof on the file of this application within a period of two weeks from today, failing which, the criminal application shall stand dismissed automatically without further reference to the Court.

5. Subject to above, the criminal application stands disposed of.

(ANUJA PRABHUDESSAI, J.)

(RANJIT MORE, J.)