

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

CRIMINAL WRIT PETITION NO. 2305 OF 2015

Sachin Pratap Vichare & Anr.

.. Petitioners

v/s.

Sunil Dharamdev Singh & Anr.

..Respondents

Mr. Anil T. Agarwal for the petitioners

Mr. Pranil Sonawane for respondent no.2

Mr. J.P. Yagnik, APP for respondent State

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

DATED: 25th JUNE, 2015.

Not on board. Upon mentioning, taken on production board.

P.C.

1. This petition is filed under Article 226 of the Constitution of India under the provisions of Section 482 of the Cr.P.C. for quashing the proceedings of Criminal Case No.9920 of 2014, pending on the file of learned J.M.F.C., Thane. The said case arises out of registration of FIR No.I-269 of 2013, at the instance of respondent no.1 with Kashimira Police Station, Mira Road (E),

Thane for the offence punishable under Sections 447, 323 and 34 of the IPC.

2. During the pendency of the said criminal case, the parties have arrived at amicable settlement and in pursuance of the said understanding, they have filed the present petition for quashing the criminal proceedings, by consent. Respondent no.1 accordingly has filed affidavit dated 03.06.2015. In paragraph 3 and 4, he has given no objection to allow the petition and set aside the proceedings of the said Criminal Case. Respondent no.1 is personally present in the Court. On specific query made by us, he submitted that he 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 Writ Petition is made absolute in terms of prayer clause (a), subject to each petitioner to pay costs of Rs.5,000/- to Tata Memorial Hospital, 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.)