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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
WRIT PETITION NO. 2324 OF 2015

Narendra Parikh
versus
1. State of Maharashtra
2. Nikita Gaurang Parikh

....Petitioner

....Respondents

Mr. S. N. Raj i/b. Raj and associates, advocates for the petitioner.
Mr. K. V. Saste, APP for the respondent No.1.
Mr. Rahul Karnik i/b. Mr. M. G. Varma, advocate for respondent No.2.

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

DATED : 29th JUNE, 2015.

P.C.:

Heard learned counsel appearing for the respective parties
and learned APP.

2. The petition is filed for quashing and setting-aside FIR bearing C.R.No.138 of 2014 registered with Juhu Police Station, at the instance of respondent No.2 for an offence punishable under Section 354 of the Indian Penal Code, 1860. The petitioner is the father-in-law of respondent No.2. Matrimonial dispute between respondent No.2 and her husband gave rise to several proceedings. The subject matter of the present petition is one of the offshoots of the same.

3. The parties have now settled their matrimonial dispute amicably, pursuant to which, the other criminal complaints filed by respondent No.2 against the petitioner and his family members have already been quashed. In that view of the matter, the instant petition is filed for quashing the proceedings of the aforesaid FIR by consent.

4. Respondent No.2 has filed an affidavit dated 15th April, 2015. In paragraph 8, she has given consent for quashing the subject FIR. Respondent No.2 is personally present before the Court. On being questioned, she specifically stated that she has gone through the affidavit and has fully understood the contents thereof and has no objection, if the proceedings arising out of said FIR are quashed and set-aside. She also stated that she is giving no objection for quashing the said proceedings out of free will and without there being any pressure or coercion.

5. It can, thus, be seen that the matter has been amicably settled between the parties. Perusal of the complaint, makes it clear that the allegations are totally personal in nature. In these circumstances and especially in view of the law laid down by the Apex Court in the cases of **Narinder Singh and ors. Versus State of Punjab and anr. 2014 AIR (SCW) 2065 and B.S.Joshi versus State of Haryana AIR 2003 SC 1386**, we are of the view that quashing of the criminal proceedings would be in the interest of respondent No.2. Besides, 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. The petition is, accordingly, made absolute in terms of prayer clause (b) and is disposed of as such.

(ANUJA PRABHUDESSAI, J.)

(RANJIT MORE, J.)