

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

CRIMINAL WRIT PETITION NO.2435 OF 2015

Miss.Urvashi Naresh Kacha	).. Petitioner
Vs.	
State of Maharashtra & Anr.	).. Respondents

Mr.Milind Dande for the petitioner.

Mrs.M.H.Mhatre APP for the Respondent-State.

Mr.S.P.Wakade for respondent no.2.

**CORAM : RANJIT MORE &
K.R.SHRIRAM, JJ.**

DATE : 5th August, 2015

P.C.

1 Petition is filed under Article-226 of the Constitution of India read with provisions under Section 482 of Code of Criminal Procedure 1973 to quash and set aside the charge-sheet dated 14.2.2011 bearing criminal case no.420/PW/2011 pending before the learned Metropolitan Magistrate, 26th Court at Borivali, Mumbai filed under Sections 408, 418, 420, 465, 467, 468, 469 & 477(A) of IPC.

2 The said case arises out of registration of FIR bearing C.R.No.491 of 2010 registered with Borivali police station at the instance of the

respondent no.2.

3 Pending trial, parties settled their dispute amicably and approached this court to quash and set aside subject proceedings by consent.

4 The respondent no.2 has filed an affidavit dated 5.8.2015. In paragraph no.3 of the said affidavit, respondent no.2 has stated that proceedings of the subject criminal case may be quashed.

5 Respondent no.2 is personally present in court. On specific query made by us, he submitted that he has made the said affidavit on his own free will, without there being any pressure or undue influence. He also states that he has gone through the contents of the petition as well as affidavit and he confirmed the contents thereof.

6 In above circumstances and in the light of the principles laid down by the Apex Court 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.

7 Accordingly, petition is allowed in terms of prayer clause (A) subject to payment of cost of Rs.5000/-. Cost to be paid to Kirtikar Law Library within a period of two weeks from today.

(K.R. SHRIRAM, J.)

(RANJIT MORE,J)