

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

CRIMINAL WRIT PETITION NO. 2647 OF 2015

Dyandev Palve

.. Petitioner

v/s.

Bhaviskar Pragati Bharat & Anr.

..Respondents

Mr. Amit Munde for the petitioner

Mr. Bhavesh Thakur for respondent no.1

Mr. K.V. Saste, APP for respondent State

CORAM: RANJIT MORE &

SMT. ANUJA PRABHUDESSAI, JJ.

DATED: 10th JULY, 2015.

P.C.

1. This petition is filed under Article 226 of the Constitution of India for quashing the proceedings of the Sessions Case No.15 of 2010, pending before the Sessions Court at Mumbai. The said case arises out of registration of C.R. No.632 of 2008 with Powai Police Station at the instance of respondent no.1 for the offence punishable under Section 3(10) of Scheduled Castes and Scheduled Tribe (Prevention of Atrocities) Act, 1989.

2. Pending trial, the parties have settled their dispute amicably and in pursuance of the said understanding, they have approached to this Court for quashing the said C.R. by consent. The respondent no.1 has filed an affidavit dated 8th July, 2015. In paragraph 3, she has stated that she is filing this affidavit to quash the proceedings of the above referred C.R. We have otherwise perused the FIR. The petitioner belonging to the N.T. category. The allegation also does not disclose commission of any offence under Section 3(10) of the Scheduled Castes and Scheduled Tribe Act. The respondent no.1 is personally present in the Court. On specific query made by us, she submitted that she has no objection for quashing the said C.R. 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 clauses (a) and (b).

(ANUJA PRABHUDESSAI, J.)

(RANJIT MORE, J.)