

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

CRIMINAL WRIT PETITION NO. 2733 OF 2015

Essam Zahoor Bakshi

.. Petitioner

v/s.

Senior Inspector of Police & Ors.

..Respondents

Mr. M.S. Ansari for the petitioner

Mr. R.M. Momin for respondent no.2

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

CORAM: RANJIT MORE &

SMT. ANUJA PRABHUDESSAI, JJ.

DATED: 10th JULY, 2015.

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

P.C.

1. Heard learned Counsel for the respective parties.

2. This petition is filed under Article 226 of the Constitution of India for quashing of FIR No.160 of 2015 registered with Agripada Police Station, Mumbai at the instance of respondent no.2 for the offence punishable under sections 336, 427, and 504 of the IPC.

3. Pending investigation, parties have settled their dispute amicably and in pursuance of the said understanding, they have approached to this Court for quashing the said F.I.R. by consent. The respondent no.2 has filed an affidavit dated 10.07.2015. In paragraph 3, he has stated that he do not want to proceed with the complaint. The respondent no.2 is personally present in the Court. On specific query made by us, he submitted that he has no objection for quashing the said F.I.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 clause (b), subject to petitioner to pay cost of Rs.5,000/- to

Tata Memorial Hospital, Bombay within a period of two weeks from the date of receipt of a copy of this order. Cost is condition precedence.

(ANUJA PRABHUDESSAI, J.)

(RANJIT MORE, J.)