

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

CRIMINAL WRIT PETITION NO.2739 OF 2015

Santosh Kamble & Ors.

.. Petitioners

v/s.

The State of Maharashtra & Ors.

..Respondents

Mr. B.D. Joshi for the petitioners

Mr. Virendra Pethe for respondent no.2

Mrs. M.H. Mhatre, APP for respondent State

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

DATED: 15th JULY, 2015.

P.C.

1. Heard.

2. This Writ Petition is filed under Article 226 of the Constitution of India for quashing of F.I.R. bearing C.R. No.I-71 of 2014 registered with Vartak Nagar Police Station, Thane at the instance of respondent no.2 for the offence punishable under Sections 452, 354 r/w 34 of the IPC.

3. Pending investigation, parties have settled their dispute amicably and in pursuance of the said understanding, they have approached this Court for quashing the subject FIR, by consent. Respondent no.2 has filed an affidavit dated 15th July, 2015, in which she has given no objection for quashing the subject FIR. Respondent no.2 is personally present before the Court. On specific query made by us, she submitted that she has no objection for quashing the FIR and consequential criminal proceedings.

4. 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.

5. Accordingly, the Writ Petition is made absolute in terms of prayer clause (A), subject to the petitioners to pay costs of

Rs.10,000/- to Kirtikar Law Library 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.)