

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
CRIMINAL WRIT PETITION NO. 2748 OF 2015

Mr. O.R. Tiwari for the petitioner.
Mr. Y.S. Bhate with Vishl Lanjekar for Respondent Nos. 2 to 4.
Mrs. M.M.Deshmukh, APP. for the State.

DATED : 31st July, 2015.

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

3) The petitioner No.1 and respondent No.4 got married on 23.5.2006. Rest of the petitioners are family members of petitioner No.1.

Respondent Nos. 2 and 3 are parents of respondent No.4. Learned counsel for the petitioners submitted that the parties have filed various civil and criminal cases against each other and the subject matter of this petition is one of the same. Learned counsel appearing for the respective parties submitted that the parties have settled their disputes amicably and have decided to put an end to all the litigations. They submitted that though the parties have settled their dispute and agreed not to prosecute the sessions case but in view of the fact that offence punishable under Section 302 is not compoundable, the matter could not be sorted out in the Sessions Court. They further submitted that victim/complainant and accused have settled all disputes and therefore, this Court in exercise of its extra ordinary power may quash the proceedings of Sessions Case No.34 of 2011.

4) We have perused the charge-sheet of the said sessions case. It is seen that the petitioners are facing the trial for offence punishable under Section-302 of the Indian Penal Code. The offence is of serious nature. Though the parties have settled the disputes, above Sessions case cannot be quashed in the light of the decision of the Apex Court in the case of **Narinder Singh and ors. versus State of Punjab and anr. 2014 AIR (SCW) 2065**. Writ Petition is therefore, dismissed.

5) The offence is registered in the year 2010 and the charge is

already framed. The parties have settled their disputes. We therefore, feel that it would be in the interests of justice that learned Sessions Court disposes of the Sessions Case No.34 of 2011 as expeditiously as possible and preferably within a period of three months from the receipt of this order.

(ANUJA PRABHUDESSAI, J.)

(RANJIT MORE, J.)