

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

**CRIMINAL APPLICATION NO. 678 OF 2015**

Mr.Mangesh Kisan Doke & ors. ..Applicants

v/s.

The State of Maharashtra & ors. ..Respondents

Mr. S.R.Gaud for the Applicants.

Mrs.M.M.Deshmukh, APP for the Respondent/State.

Mr.M.S.Arote for the Respondent Nos.2 and 3.

**ALONG WITH  
CRIMINAL APPLICATION NO. 679 OF 2015**

Mr. Sitaram Keshav Dhokare & Anr. ..Applicants

v/s.

The State of Maharashtra & ors. ..Respondents

Mr. Prashant Tohmbare i/b. M.S.Arote for the Applicants.

Mr.PH.Kantharia, APP for the Respondent/State.

Mr.S.R.Gaud for the Respondent Nos.2 and 3.

**CORAM : RANJIT MORE &  
SMT. ANUJA PRABHUDESSAI,JJ.  
DATED : JULY 28, 2015.**

**P.C.**

1. Heard. Both the applications arise out of cross cases and therefore are being disposed of by common order. The applicant in

Criminal Application No. 678 of 2015 are seeking quashment of C.R.No. 233 of 2014 registered with Agripada Police Station for the offence punishable under Section 392, 354, 323 r/w. 34 of the Indian Penal Code. And the applicants in Criminal Application N0.679 of 2015 are seeking quashment of C.R.No. 232 of 2014 for the offence punishable under Section 392, 323 r/w. 34 of I.P.C.

2. Learned Counsel appearing for the applicants in both the applications submitted that pending investigation the parties have settled their dispute amicably. The informants and the aggrieved persons in the respective applications have tendered affidavits giving no objection to quash and set aside the subject C.Rs.

3. The informants and the aggrieved persons in the respective applications are present before the court. On specific query they state that they have no objection to quash and set aside the subject C.R.

4. We have perused the First Information report in both the applications. In our view the FIR prima facie, does not disclose offence under Section 392 of I.P.C. The parties are residing in the same vicinity. In our opinion, quashing of the subject C.R. would be

in the interest of both the parties and enable them to maintain cordial and peaceful relations with each other.

5. It can thus be seen that the dispute between the parties is settled. The allegations made against the applicants in the respective crime is personal in nature and no element of public law is involved in the crime. In the circumstances, and especially, in view of the law laid down by the Apex Court in the case of Madan Mohan Abbot vs. State of Punjab, [(2008) 4 SCC 582], we find that no purpose would be served by keeping the criminal proceedings pending except burdening the Criminal Courts which are already overburdened.

6. In the light of the principles laid down by the Apex Court in the aforesaid decision as well as 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, Criminal Application no. 678 of 2015 and Criminal Application No. 679 of 2015 are allowed in terms of prayer clause (b).

8. As a condition precedent for this order to take effect, the Applicants in both the applications shall pay costs of Rs.10,000/- (Rupees Ten Thousand Only) to the cancer hospital, namely **Shanti Avedana Sadan**, situated at 216, Mount Mary Road, Bandra (West), Mumbai 400 050 and produce a copy of the receipt on the file of this application within a period of three weeks from today.

(ANUJA PRABHUDESSAI, J.)

(RANJIT MORE, J.)