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**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
CRIMINAL APPLICATION NO. 704 OF 2015**

1. Shri Yatin Jayram Revale
2. Shri Jayram Babaji Revale
3. Smt. Sadhna Jayram Revale
4. Shri Nitin Jayram Revale

....Applicants

versus

1. The State of Maharashtra
2. Smt. Soniya Yatin Rewale

....Respondents

Mr. Samarth Shrikant Karmarkar, advocate for the applicants.

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

Mr. Rahul Shelke, advocate for respondent No.2.

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

DATED : 24th JULY, 2015.

P.C.:

Mentioned for production. Production allowed in view of urgency.

2. Heard learned counsel and learned APP appearing for the applicants and respondents respectively.

3. The criminal application is filed under section 482 of the Code of Criminal Procedure, 1973, for quashing and setting aside the FIR bearing C.R.No.154 of 2015 registered with Amboli Police Station against the applicants, at the instance of respondent No.2, for the offences

punishable under sections 498A, 504, 506 read with Section 34 of the Indian Penal Code, 1860.

3. Applicant No.1 and respondent No.2 are husband and wife. Rest of the applicants are the family members of applicant No.1. Difference of opinion between the parties gave rise to marital dispute which resulted in filing of the present C.R.. During the pendency of investigation, the parties settled their dispute amicably and, in pursuance of an understanding arrived at between them, filed the instant application for quashing and setting-aside the subject C.R. by consent. Respondent No.2 has filed an affidavit dated 20th July, 2015. In paragraph 4, she has stated that she has given her no objection for quashing and setting aside the subject C.R.. Respondent No.2 is personally present before the Court. On being questioned, she specifically stated that she has gone through the affidavit and has fully understood the contents thereof and has no objection, if the subject C.R. is quashed and set-aside. She also stated that she is giving no objection for quashing and setting-aside the subject CR out of free will and without there being any pressure or coercion.

4. It can, thus, be seen that the matter has been amicably settled between the parties. Perusal of the complaint, makes it clear that the allegations are totally personal in nature. In these circumstances and

especially in view of the law laid down by the Apex Court in the case of **B.S.Joshi versus State of Haryana AIR 2003 SC 1386**, we are of the view that quashing of the criminal proceedings would be in the interest of respondent No.2. Besides, no purpose would be served by keeping the criminal proceedings pending except burdening the Criminal Courts which are already overburdened. In that view of the matter and in the interests of justice, the subject C.R. is required to be quashed and set-aside. The application is, accordingly, made absolute in terms of prayer clause (c) and is disposed of as such.

(ANUJA PRABHUDESSAI, J.)

(RANJIT MORE, J.)