

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

CRIMINAL WRIT PETITION NO. 2941 OF 2014

Ms. Sonia d/o. Jeet Singh Mallik ..Petitioner

v/s.

The State of Maharashtra . ..Respondents

Mr. A.M.Saraogi for the Petitioner.

Mr.J.P.Yagnik, APP for the Respondent/State.

Mr.V.V.Ugale for the Respondent No.2.

**CORAM : RANJIT MORE &
SMT. ANUJA PRABHUDESSAI,JJ.
DATED : APRIL 13, 2015.**

P.C.

1. Heard. This petition is filed under Article 226 of the Constitution of India, 1950 to quash and set aside the FIR No.209 of 2014 registered against the petitioner and other two persons, with Versova Police Station at the instance of the respondent no.2 for offence punishable under Section 380 of I.P.C.

2. The petitioner and the respondent no.2 are sisters. Pending investigation they settled their disputes. The respondent no.2 has

filed affidavit dated 4.8.2014. In said affidavit she has given no objection to quash the FIR against the petitioner. The respondent no.2 was personally present before this court on 5.8.2014 and she has stated that she has no objection to quash the FIR against the petitioner. On specific query made by us, she submitted that she has made the said statement in the affidavit on her own free will, without there being any pressure or undue influence. She has further confirmed that she has no objection for quashing the criminal proceedings in question initiated by her against the Petitioner for the offence punishable under section 380 of the Indian Penal Code, 1860.

3. It can thus be seen that the dispute between the parties is settled. The allegation made against the petitioners is personal in nature and no 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.

4. 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.

5. Accordingly, petition is allowed in terms of prayer clause (b).

6. One Ranjit Pathare, Assistant Police Inspector attached to Versova Police Station has filed affidavit. From the averments made in para 4 of the affidavit it appears that the respondent no.2 complainant approached the police and stated that she has no grievance against the other three accused. If that be so, the investigating agency shall look into such statement and file appropriate report as regards the other three accused.

(ANUJA PRABHUDESSAI, J.)

(RANJIT MORE, J.)