

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

CRIMINAL APPLICATION NO. 810 OF 2015

Mr.Saurabh Juneja & Anr.

..Applicant

v/s.

The State of Maharashtra & Anr.

..Respondents

Mr. Niranjan Mundargi a/w. Saakar Sarhana i/b.Prasanna Bhangale
for the Applicant.

Mrs.Neha Prashant a/w. Ankita Singh i/b. ALMT Legal for the
Respondent No.2.

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

**CORAM : RANJIT MORE &
SMT. ANUJA PRABHUDESSAI,JJ.
DATED : AUGUST 14, 2015.**

P.C.

1. Heard. This application is filed under the provisions of Section 482 of Cr.P.C. for quashing and setting aside the proceeding of CR No. 192 of 2015 registered with Hinjewadi police Station, Pune at the instance of respondent no.2 for an offence punishable under Section 384 r/w. 34 of the Indian Penal Code.

2. Pending investigation, parties settled their dispute amicably and

have settled this court for quashing the subject C.R. by consent.

3. The respondent no.2 accordingly has filed affidavit dated 13th August, 2015. In paragraphs 4 and 5 of the affidavit, no objection is given for quashing the proceeding of subject CR.

4. Respondent No.2 is personally present before the Court. On specific query made by us, he submitted that he has made the said statement in the affidavit on his own free will, without there being any pressure or undue influence. He has further confirmed that he has no objection for quashing the criminal proceedings in question initiated by him against the applicant for the offence punishable under section 384 r/w. 34 of the Indian Penal Code, 1860.

5. It can thus be seen that the dispute between the parties is settled. The allegation made against the applicant 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, application is allowed in terms of prayer clause (a).

9. As a condition precedent for this order to take effect, the Applicant shall pay costs of Rs.10000/- (Rupees Ten Thousand Only) to the Kirtikar Law Library, High Court, Bombay and produce a copy of the receipt on the file of this application within a period of two weeks from today.

(ANUJA PRABHUDESSAI, J.)

(RANJIT MORE, J.)