

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
CRIMINAL WRIT PETITION NO.4024 OF 2015

Pranay Ramnath Bhagat	... Petitioner
Vs.	
State of Maharashtra and others	... Respondents

Mr. V. M. Deshmukh for Petitioner.
Mr. P. V. Gavai for Respondent No.2.
Mrs. M. M. Deshmukh, APP for Respondents-State.

**CORAM: RANJIT MORE &
R. G. KETKAR, JJ.**

DATE : 28th OCTOBER, 2015.

P.C.:

Heard learned Counsel appearing for the respective parties.

2. The Petition is filed under Article 226 of the Constitution of India read with the provisions of Section 482 of the Code of Criminal Procedure, 1973 for quashing and setting-aside the proceedings of Criminal Case No.2048/PW/2014 pending on the file of the learned 22nd Additional C.M.M., 22nd Court, Andheri, Mumbai. The said proceedings arise out of FIR bearing C.R.No.403 of 2011 registered with MIDC Police Station, Mumbai at the instance of the respondent No.2, for the offence punishable under Section 363 of the Indian Penal Code, 1860.

3. Pending trial, the parties have settled their dispute amicably, and

in pursuance of an understanding arrived at between them, have approached this Court for quashing and setting-aside the proceedings of the subject criminal case by consent. Respondent No.2 as well as victim Priyanka have filed separate affidavits dated 28.10.2015. In paragraph 3, they have given no objection if the proceedings of the subject criminal case are quashed and set-aside. Respondent No.2 and respondent No.15-Priyanka are personally present in the Court. On specific query, they state that they have gone through the affidavits and have understood the contents thereof.

4. That apart, we have perused the charge-sheet including the copy of the FIR. The FIR, itself, discloses that the petitioner and victim Priyanka was in love relationship. The statement of the victim Priyanka also discloses that she was in love with the petitioner and on her own, she accompanied the petitioner. The record further reveals that the victim Priyanka, after attaining majority, married petitioner on 18.02.2013. Marriage Certificate to that effect is annexed to the Petition at page 22. Parties state that the petitioner and Priyanka are staying together as husband and wife. In the above circumstances, in our opinion, it would be in the interests of Priyanka and respondent No.2 if the subject proceedings are quashed.

5. It can, thus, be seen that the dispute was totally personal in nature, which has now been settled amicably. In these circumstances and

especially in view of law laid down by the Apex Court in the case of ***Narinder Singh and ors. versus State of Punjab and another, 2014 AIR (SCW) 2065***, we find that 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 criminal proceedings are required to be quashed and set-aside.

6. Accordingly, the Criminal Writ Petition is allowed in terms of prayer clause (i). Petition disposed of.

[R. G. KETKAR, J.]

[RANJIT MORE, J.]

Minal Parab