

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
CRIMINAL APPLICATION NO.1149 OF 2015

Arvindkumar Hukumsinh Singh and another... Applicants

Vs.

State of Maharashtra and another ... Respondents

Mr. P. G. Sarda for Applicants.

Mrs. M. H. Mhatre, APP for Respondent No.1-State.

Mr. Anup Lahoti for Respondent No.2.

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

DATE : 23RD OCTOBER, 2015.

P.C.:

Heard Mr. Sarda, learned Counsel for applicants, Mrs. Mhatre, learned APP for respondent No.1-State and Mr. Lahoti, learned Counsel for respondent No.2.

2. The application is filed under the provisions of Section 482 of the Code of Criminal Procedure, 1973 for quashing and setting-aside the FIR bearing C.R.No.449 of 2015 registered with Wakad Police Station, Pune, at the instance of the respondent No.2, for the offences punishable under Sections 498-A, 506 read with Section 34 of the Indian Penal Code, 1860.

3. Applicant No.1 and respondent No.2 are husband and wife. Matrimonial dispute between the parties gave rise to filing of the subject FIR.

4. Pending investigation, 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 subject FIR by consent. Respondent No.2 has filed affidavit dated 19.10.2015. In paragraphs 15 and 16, she has given no objection to quash the subject FIR. Respondent No.2, who is personally present in the Court, confirms the contents of the affidavit. On specific query, she states that she has gone through the affidavit and has understood the contents thereof.

5. 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 proceedings of the subject criminal case 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 proceedings of the subject criminal case is required to be quashed. The Application is, accordingly, allowed in terms of prayer clause (b) and is disposed of as such.

[R. G. KETKAR, J.]

[RANJIT MORE, J.]