

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY**  
**CRIMINAL APPELLATE JURISDICTION**  
**WRIT PETITION NO. 4233 OF 2015**

|                                |               |
|--------------------------------|---------------|
| 1. Navjeet Jitendra Sharma     |               |
| 2. Mrs. Naveen Jitendra Sharma | ..Petitioners |
| Versus                         |               |
| 1. Mrs. Sonal Navjeet Sharma   |               |
| 2. State of Maharashtra        | ..Respondents |

Mr. Sham V. Walve, advocate for the petitioners.  
Mr. Mandar Soman i/b. Mr. A. D. Sarwate, advocate for respondent No.1.  
Mrs. R. M. Gadhavi, APP for the State.

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

**DATE : 29<sup>th</sup> OCTOBER, 2015.**

**P. C. :**

Heard learned counsel and learned APP appearing for the respective parties.

2. The petition is filed for quashing the proceedings of RCC No.4103 of 2012 pending on the file of learned JMFC, Pune. The said case arises out of FIR No.278/2012 registered with Yerwada Police Station, Pune, at the instance of respondent No.1, for the offences punishable under Sections 498-A, 323 and 506(1) read with Section 34 of the Indian Penal Code, 1860.

3. The petitioner No.1 and respondent No.1 are husband and wife. Petitioner No.2 is the mother of petitioner No.1. Marital dispute between the parties gave rise to filing several criminal as well as civil matters. The subject matter of the present petition is one of them. 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 proceeding of the subject criminal case by consent. Respondent No.1 has filed an affidavit dated 9<sup>th</sup> October, 2015. In paragraph 8, she has given her no objection for quashing and setting-aside the proceedings of the subject criminal case. Respondent No.1 is personally present before the Court. On being questioned, she specifically stated that she has gone through the affidavit and has understood the contents thereof, and she has no objection, if the proceedings of the subject criminal case are quashed and set-aside. She also stated that she is giving no objection for quashing the proceedings of the said criminal case 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.1. 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 are required to be quashed and set-aside. The petition is, accordingly, made absolute in terms of prayer clause (b) and is disposed of as such.

**[R. G. KETKAR, J.]**

**[RANJIT MORE, J.]**