

Mr. Ram Mani Upadhyay for Applicant.
Mrs. M. M. Deshmukh, APP for Respondent-State.
Mr. Karim Khan Pathan for Respondent No.2.

DATE : 23rd OCTOBER, 2015.

Heard Mr. Upadhyay, learned Counsel for applicant, Mrs. Deshmukh, learned APP for respondent No.1-State and Mr. Pathan, learned Counsel for respondent No.2.

3. 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 23.10.2015. In paragraph 6, 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.

4. 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 anr. 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.

5. Accordingly, the application is allowed in terms of prayer clause (d) subject to payment of costs of Rs.25,000/- by the applicant to the Tata Memorial Cancer Hospital, Mumbai for the use of its philanthropic purposes. The applicant shall pay the said cost and produce receipt thereof

on the file of this Court within a period of two weeks from today, failing which, the Criminal Application shall stand dismissed automatically without further reference to the Court.

[R. G. KETKAR, J.]

[RANJIT MORE, J.]

Minal Parab