

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

CRIMINAL APPLICATION NO. 1147 OF 2014

Kanchi Shah & Ors.

.. Applicants

v/s.

The State of Maharashtra & Anr.

..Respondents

Mr. S.R. Mithare for the applicants

Mrs. M.M. Deshmukh, APP for the respondent State

Mr. Abhijit Mantri i/b Mr. Vaibhav Bagade for respondent no.2

**CORAM: RANJIT MORE &
SMT. ANUJA PRABHUDESSAI, JJ.**

DATED: 6th MAY, 2015.

P.C.

1. This application is filed under the provisions of Section 482 of the Cr.P.C. to quash the proceedings of the FIR being C.R. No.85 of 2014, registered with Jogeshwari Police Station, Mumbai against the applicants under Sections 324, 504, 506 r/w 34 of the I.P.C. at the instance of respondent no.2.

2. Pending investigation, the parties have settled their dispute amicably and in pursuance of the said understanding arrived at

between them, they have filed the present application for quashing and setting aside the proceedings of the said C.R., by consent. Respondent no.2 accordingly has filed an affidavit dated 30.07.2014. In his affidavit, he has given no objection for quashing criminal proceedings being F.I.R. No.85 of 2014. Respondent no.2 is present before the Court. On specific query made by us, he submitted that he has no objection for quashing the FIR and consequential criminal proceedings.

3. We are of the view that the dispute is of personal nature and the ratio in the case of *Narinder Singh Vs. State of Punjab (2014) AIR SCW 2065* would squarely apply to the facts of the present case and as such there is no impediment in quashing the criminal complaint.

4. Accordingly, the Criminal Application is made absolute in terms of prayer clause (A), subject to applicants to pay costs of Rs.15,000/- to Shanti Avedna Sadan, Mount Mary Road, Bandra

(W), Mumbai within a period of two weeks from the date of receipt of this order. Cost is condition precedent. If the cost is not paid within stipulated period, the Criminal Application shall stand dismissed without any further reference to the Court.

(ANUJA PRABHUDESSAI, J.)

(RANJIT MORE, J.)