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IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

WRIT PETITION NO.4430 OF 2015

Smt. Shanti Manjeet Chaurasiya

..Petitioner.

V/s.

Manjeet Shivbabu Chaurasiya and Ors.

..Respondents.

Mr.A.K. Dwivedi for the petitioner.

Mr.K.V.Saste, APP for respondent-State.

**CORAM : RANJIT MORE AND
V.L.ACHLIYA, JJ.**

DATED : 2ND DECEMBER, 2015

P.C. :-

1. Heard learned counsel for the petitioners, learned A.P.P. for the State and the respondents appearing in person.

2. The first informant herself has approached this Court for quashing the F.I.R. bearing No.380/15 registered with Andheri police station, Mumbai at the instance of the petitioner against the respondents for the offences punishable under Sections 498(A), 406, 323, 504 read with Section 34 of the Indian Penal Code.

3. The respondent No.1 and the petitioner are husband and wife and rest of the respondents are family members of respondent No.1. Matrimonial disputes between the parties gave

rise to filing of several criminal as well as civil matters. The subject matter of the present petition is one of them.

4. Pending investigation, the parties have settled their dispute amicably and presently, the petitioner and respondent No.1 are staying together. In the circumstances, the petitioner has approached this Court for quashing of the subject F.I.R. The petitioner as well as respondent Nos.1 to 3 are present before the Court. The petitioner reiterates the contentions raised by her in the petition. On a specific query to the petitioner, she states that the dispute between herself and respondent Nos.1 to 3 is settled and now she is residing with respondent No.1. She states that she has no objection if the subject F.I.R. is quashed. She also states that she is giving no objection for quashing the subject F.I.R. out of free will and without there being any pressure or coercion.

5. It can, thus, be seen that the matter has been amicably settled between the parties. From the perusal of complaint, it transpires that the allegations are totally personal in nature. There is no element of public law involved in the offence. The offence alleged cannot be said to have any impact on the society. 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 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 F.I.R. is required to be quashed.

6. Accordingly, the petition is made absolute in terms of prayer clause (a) and is disposed of as such.

(V.L.ACHLIYA, J.)

(RANJIT MORE, J.)