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IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO.1237 OF 2015

Bhavesh K. Mali and Ors.

..Applicants.

V/s.

The State of Maharashtra and Anr.

..Respondents.

Ms.Swapna P. Kode for the applicants.

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

Mr.Anshul Sontakke for respondent No.2.

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

DATED : 20TH NOVEMBER, 2015

P.C. :-

1. Not on board. Taken on board.
2. Heard learned counsel for the applicants, learned counsel for respondent No.2 and the learned A.P.P. for the State. This application is filed under Section 482 of the Code of Criminal Procedure, 1973 for quashing the F.I.R. No.564/15 registered with D.N.Nagar Police Station at the instance of respondent No.2 against the applicants for the offences punishable under Sections 324, 323 read with Section 34 of the Indian Penal Code.
3. Pending investigation, the parties i.e. the complainant

and the accused have approached this Court for quashing the F.I.R. by consent as they have amicably settled the dispute.

4. Respondent No.2 has filed an affidavit dated 20th November, 2015. In paragraph 4, she has stated that she has no objection if the subject F.I.R. is quashed. Respondent No.2 is personally present before the Court. She is identified by her Advocate. On being questioned, respondent No.2 specifically states that she gone through her affidavit and fully understood the contents thereof. She has no objection to quash the F.I.R. She also states she has given no objection for quashing the F.I.R. out of free will and there is no pressure or coercion on her to give consent for quashing the F.I.R.

5. 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 offences 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 **Narinder Singh vs. State of Punjab [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, we are inclined to allow the application in terms of prayer (a). Accordingly, the application is allowed in terms of prayer clause (a) and subject F.I.R. stands quashed against the applicants.

(V.L.ACHLIYA, J.)

(RANJIT MORE, J.)