

IN THE HIGH COURT OF JUDICATURE AT BOMBAY  
CRIMINAL APPELLATE JURISDICTION

**CRIMINAL APPLICATION No. 1256 OF 2015**

Palak Vishal Ramani @  
Nisha Ashok Bajaj and Others. ..Applicants.  
Versus  
State of Maharashtra & Another. ..Respondents.

Mr. B. V. Salunkhe for the Applicants.  
Mrs. M. M. Deshmukh, learned APP for the State.  
Mr. Subhash Hulyalkar for Respondent No. 2.

Coram : RANJIT MORE &  
V. L. ACHLIYA, JJ.  
Date : **December 1, 2015.**

P. C. :

1. Heard the learned Counsel appearing for the respective parties. By the present application filed under section 482 of the Code of Criminal Procedure, 1973, the Applicants are seeking to quash FIR bearing CR.No.329/2015 registered against them with Sangvi Police Station (District-Pune). The said FIR is registered at the instance of Respondent No.2, alleging the commission of offence punishable under sections 452, 143, 147, 149, 323, 504 and 506II of the Indian Penal Code, 1860.

2. Applicant No.1 got married with one Vishal, son of Respondent No.2. Rest of the Applicants are the family members of Applicant No.1. Matrimonial disputes between Applicant No. 1 and said

Vishal gave rise to the filing of civil as well as criminal proceedings by the parties against one another and the subject matter of present application is one of them.

3. The learned Counsel appearing for the respective parties submitted that during the pendency of investigation into above FIR, with the help and intervention of family members, friends and well-wishers, the parties have amicably settled their differences by way of mutual settlement and pursuant to the understanding arrived at between them, the instant application is filed for quashing the above FIR, by consent of Respondent No.2.

4. An affidavit dated 15<sup>th</sup> November 2015 has been filed by Respondent No.2 wherein she has stated that she is not interested in continuing with the criminal prosecution of the Applicants for the subject case being CR No.309 of 2015. She has solemnly affirmed that she has no objection for quashing the FIR in question lodged by her against the Applicants.

5. Respondent No.2 is personally present before the Court. On specific query made by us, she submitted that she has made the said affidavit on her own free will, without there being any pressure or undue influence. She has further confirmed that she has no objection for quashing the FIR in question registered at her with Sangavi Police

Station against the Applicants.

6. 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 case. 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 Madan Mohan Abbot vs. State of Punjab, [(2008) 4 SCC 582], we find that no purpose would be served by keeping the FIR in question alive except ultimately burdening the Criminal Courts which are already overburdened.

7. In the light of the principles laid down by the Apex Court in the aforesaid decision as well as in the case of Narinder Singh vs. State of Punjab [2014 AIR SCW 2065] we are of the considered view that there is no impediment in quashing the FIR in question. Accordingly, application is made absolute in terms of prayer clause (a).

[V. L. ACHLIYA, J.]

[RANJIT MORE, J.]