

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

**CRIMINAL WRIT PETITION NO. 220 OF 2016**

|                                 |                |
|---------------------------------|----------------|
| Mr.Maxie Julius Gaurea & Anr.   | ...Petitioners |
| vs.                             |                |
| The State of Maharashtra & Anr. | ...Respondents |

Mr.Deval K. Anja for Petitioners.  
Mr.J.P. Yagnik, APP for State.  
Mr.P.D. Purway i/b. A.A. Deshmukh for Respondent No.2.

**CORAM : RANJIT MORE & S.C. GUPTE, JJ.**

**29 JANUARY 2016**

**P.C. :**

Heard learned Counsel appearing for the respective parties and learned APP for the State.

2           The petition is filed under Article 226 of the Constitution of India read with provisions of Section 482 of the Code of Criminal Procedure, 1973 to quash and set aside the FIR bearing C.R. No.37/2015 registered with Yellow Gate Police Station at Mumbai at the instance of Respondent No.2 for the offences punishable under Sections 420, 465, 468 and 471 read with 34 of IPC.

3           Pending investigation, the parties settled their disputes amiably and in pursuance of an understanding arrived at between them, filed the present application for quashing the subject FIR, by consent. Respondent No.2, accordingly, has filed an affidavit dated 13 January 2016. Aggrieved / affected persons, namely, Mrs.Ganga Narayan Koli, Mr.Sukhram Vanshi and Mr.Ramesh Lochan, have also filed separate affidavits. Respondent No.2 as well as aggrieved persons in these affidavits has given no objection to quash the subject FIR. All the aggrieved persons are present before the court.

4 Be that as it may, it can 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. 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. However, at the same time, costs needs to be saddled on the parties for using the police and judicial mechanism for settling their personal disputes.

5 Accordingly, the petition is allowed in terms of prayer clause (a) subject to payment of costs of Rs.10,000/- by the Petitioners to the **Kirtikar Law Library**. The Petitioners shall pay the costs and produce the receipt thereof on the file of this Court within a period of four weeks from today, failing which the petition shall stand dismissed automatically without reference to the court.

6 Subject to above, the criminal writ petition stands disposed of.

**(S.C. GUPTE, J.)**

**(RANJIT MORE, J.)**