

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

CRIMINAL WRIT PETITION NO. 295 OF 2016

Mr.Praful Bhanji Nisar	...Petitioner
vs.	
Karanjeetsingh Sukindersingh Bacher & Anr.	...Respondents

Mr.P.D. Purway for Petitioner.
Mr.F.R. Shaikh, APP for State.
Mr.D.K. Anja for Respondent No.1.

CORAM : RANJIT MORE & S.C. GUPTA, JJ.

29 JANUARY 2016

P.C. :

Heard learned Counsel for the respective parties and the 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 Cr.P.C. to quash and set aside the FIR bearing C.R. No. 473/2015 registered with Juhu Police Station at the instance of Respondent No.1 for the offences punishable under Sections 406 and 420 of IPC.

4 Pending investigation, the parties settled their disputes amicably and in pursuance of an understanding arrived at between them, filed the present petition for quashing the subject FIR, by consent. Respondent No.1, accordingly, has filed an affidavit affirmed on 22 January 2016. In para 7, he has given no objection to quash the subject FIR against the Petitioner. He is present before the Court. He confirms the contents of the affidavit. He also states that he is giving consent out of free will and without there being any pressure or undue influence.

5 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.

6 Accordingly, the petition is allowed in terms of prayer clause (a) subject to payment of costs of Rs.5,000/- by the Petitioner. The Petitioner shall pay the costs of Rs.5,000/- to the **Kirtikar Law Library** 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.

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

(S.C. GUPTE, J.)

(RANJIT MORE, J.)