

Association, which is registered under the Trade Union Act. According to the Articles of Association, any person who is desirous to work in film industry is not allowed to work as such unless he becomes a member of the said Association. The Petitioner accordingly demanded amount of Rs. one lakh under different head which was paid by the complainant (Respondent No. 1) by the demand draft in August, 2015.

3. However, the complainant did not get any work and she was told that she is not likely to get work there. She, therefore, requested that amount paid by her should be returned. However, according to the complainant, Petitioner abused her and demanded sexual favour on phone.

4. It is submitted by the learned counsel for the Petitioner and the counsel appearing for the complainant that both the parties have amicably settled the dispute. The Petitioner has deposited an amount of Rs. one lakh in the Sessions Court.

5. Since the parties have amicably settled the dispute, in our view, there is no impediment in quashing the complaint, taking into consideration the ratio of the judgment in the cases of - ***Gian Singh***,

Appellant Vs. State of Punjab & Anr., Respondents [(2012) 10 SCC 303]; and also recent judgment of the Supreme Court in the case of - ***Narinder Singh & Ors., Appellants Vs. State of Punjab & Anr., Respondents [(2014) 6 SCC 466]***. It appears that dispute is basically of a personal nature and has arisen out of a civil dispute for returning the amount of Rs. one lakh to the complainant, which she had paid, by way of deposit to the Petitioner, just one month before the incident took place.

6. The complainant is present in the Court. We have interviewed her, and she has stated that she has no objection if the complaint is quashed since the Petitioner has deposited amount of Rs. one lakhs in the Sessions Court. We are satisfied that the complainant has not been coerced or threatened by the Petitioner. Writ petition is, therefore, allowed in terms of prayer clause (c), and the criminal complaint filed by the complainant is quashed, subject to condition that Respondent No. 1 is allowed to withdraw the amount deposited by the Petitioner in the Sessions Court. We, therefore, direct the Sessions Court to refund the said amount deposited by the Petitioner to Respondent No. 1. The Petitioner has also undertaken to pay interest

of Rs. 10,000/- to Respondent No. 1. The said amount shall be paid by the Petitioner to the complainant (Respondent No. 1) within four weeks from today. Writ petition is accordingly disposed of in the aforesaid terms.

7. Though the petition is disposed of, we would like to find out if some kind of mechanism can be evolved for redressal of the grievances of the cine artists, who essentially work as unorganised workers. There is no security to these workers and we would like to know if some redressal grievance can be evolved by the Association to sort out these issues. We are informed that in fact the Association is going to have a meeting in a day or two. Though we have allowed the petition, we would like to keep this matter for directions, for deciding this issue, which we have raised. Pendency of the petition will not come in the way of order of quashing passed in terms of prayer clause (c), and the order permitting Respondent No. 1 to withdraw the said amount. S. O. to 6.12.2016 (to be placed on the supplementary board).

Sd/-

[Ms. NUTAN D. SARDESSAI, J.]

Sd/-

[V. M. KANADE, J.]