

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELATE JURISDICTION
CRIMINAL APPLICATION NO.599 OF 2016

Mr.Himanshu S. Shinde for the applicant
Ms M.H.Mhatre, APP for the respondent No.1
Ms Reshma Gaikwad i/b Mr.Nitin Dandore for
respondent No.2

P.C.:

3 The prayer in this application is for quashing
the FIR registered at the instance of the second
respondent for the offences punishable under
sections 324 and 506 of the Indian Penal Code. The
injury certificate of the second respondent has been
placed on record which is issued by Dr.R.Cooper
Hospital, Juhu. It records that the second

respondent has suffered two injuries which are simple in nature. Perusal of the statement of the second respondent on the basis of which FIR was registered shows that the parties are related.

4 There is an affidavit filed by the second respondent in which she has stated that there is a settlement between her and the applicant at the intervention of the family members.

5 Perusal of the allegations made in the FIR show that the alleged offence cannot be said to be one against the society at large. In view of a complete settlement of the dispute in the the light of law laid down by the Apex Court in the case of Gian Singh vs. State of Punjab and another¹ this is a fit case to exercise power under section 482 of the Code of Criminal Procedure, 1973.

6 Accordingly, we dispose of the application by passing the following order:

(I) Criminal application is made absolute in terms of prayer clause (a) which reads thus:

“(a) This Hon'ble Court may kindly quash the Criminal Case No.2479/PW/2013 arising out of C.R.No.416/2012 registered with D.N.Nagar Police Station for offences under section 324 & 506 of IPC which is pending before the Ld. M.M. 10th Court at Andheri (Mumbai) at the instance of the

1 (2012) 10 SCC 303

respondent No.2."

(II) Parties to act upon an authenticated copy
of this order.

(R.D.DHANUKA,J.)

(A.S.OKA,J.)