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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

WRIT PETITION No. 3914 OF 2015

Jasdeep Singh Khurana & Anr. ... Petitioners
Vs.
The State of Maharashtra & Anr. ... Respondents

Mr. Ratnesh Dube, for the Petitioners.
Mr. K. V. Saste, APP for the Respondent No. 1-State.
Mr. Vimlesh Singh, for Respondent No. 2.

CORAM : V. M. KANADE, &
Ms. NUTAN D. SARDESSAI, JJ.
DATE : DECEMBER 1, 2016

PC.

1. Heard the learned counsel appearing for the Petitioners, learned APP appearing for Respondent No. 1-State, and the learned counsel appearing for the complainant (Respondent No. 2). This petition is filed for quashing of the complaint filed for the offences punishable under Section 420 read with section 34 of the I.P. Code, registered vide C. R. No. 261/2015, with the Kurla Police Station. The dispute between the parties essentially is arising out of breach of

contract and is a civil dispute, which has now been settled between them. The complainant has filed an affidavit in which he has stated that he has no objection if the complaint is quashed. He is present in the Court. He has informed us that he has no objection if the complaint is quashed.

2. In view of the judgment of the Apex Court in the case of ***Narinder Singh & Ors., Appellants Vs. State of Punjab & Anr., Respondents [(2014) 6 SCC 466]***, we are of the view that there is no impediment in quashing the criminal complaint. Taking into consideration the use of police machinery by the complainant, we direct the Petitioner and Respondent No. 2 to pay Rs. 25,000/- each towards the costs, which is to be deposited with High Court Legal Services Authority. Writ petition is, therefore, allowed in terms of prayer clause 12(a), and is accordingly disposed of in the aforesaid terms.

Sd/-

[Ms. NUTAN D. SARDESSAI, J.]

Sd/-

[V. M. KANADE, J.]

Vinayak Halemath