

BDPPS

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
WRIT PETITION NO.4025 OF 2014**

Edwin Jerry D'Mello & Ors.

..... Petitioners.

V/s

The State of Maharashtra & Anr.

..... Respondents.

Mr. Nitin P. Dalvi a/w Mr. Sanjay B. Singh for the Petitioners.

Mrs. S.V. Sonawane, APP for the State.

Mr. Mayur Sapkale for Respondent No.2.

**CORAM: V. M. KANADE &
Ms. NUTAN D. SARDESSAI, JJ.**

DATE: 20th December, 2016

P.C.:-

1] Heard the learned Counsel for the Petitioners and the learned Counsel appearing on behalf of Respondent No.2 – Complainant.

2] Complaint was filed by Respondent No.2 which was registered with the Poynad Police Station for the offence punishable under sections 420, 467, 458 read with section 3(1)(v)(viii) and (ix) of the Scheduled Caste, Scheduled Tribe Atrocities Act.

3] Parties have amicably settled the dispute. Respondent No.2 has filed an affidavit-in-reply. She has stated that she has no objection if the complaint is quashed. She is present in Court. We have

interviewed her. She has reiterated whatever she has stated in the affidavit-in-reply. Ratio of the judgment of the Apex Court in *Narinder Singh and Others vs. State of Punjab and Another*¹ squarely applies to the facts of the present case.

4] In view of affidavit-in-reply and the statement given by Respondent No.2, the complaint filed by her vide C.R. No.32 of 2013 registered with Poynad Police Station is quashed and set aside qua the Petitioners.

5] Writ Petition is accordingly allowed and disposed of.

(Ms. NUTAN D. SARDESSAI, J.)

(V.M. KANADE, J.)

¹ (2014) 6 SCC 466