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IN THE HIGH COURT OF JUDICATURE AT BOMBAY***CRIMINAL APPELLATE JURISDICTION******CRIMINAL WRIT PETITION No.3521 OF 2016******Rizwan Ismail Patni******....Petitioner******Vs.******State of Maharashtra and Anr.******....Respondents***

Mr. Saurabh Rane for the Petitioner

Mrs. M.H. Mhatre -APP for Respondent No.1-State

Mr. Maroof M. Khan for Respondent No.2.

CORAM : V. M. KANADE &***Ms. NUTAN D. SARDESSAI, JJ.******DATE : NOVEMBER 23, 2016******P.C. :***

1. Heard the learned counsel appearing on behalf of the Petitioner, the learned APP for the State and the learned counsel appearing on behalf of Respondent No.2.

2. This is an application for quashing the criminal complaint which is registered with J.J. Marg Police Station for the offences punishable under sections 387, 506 of the Indian Penal Code vide FIR No.144 of 2016. Both the parties have amicably settled the dispute. Respondent No.2 has filed his affidavit stating therein that he has no objection if the complaint is quashed. It is submitted that the dispute arose when the

Applicant started his own cable business and threatened Respondent No.2 who was also in the same business. Now the Applicant has given an undertaking to Respondent No.2 – Original Complainant that hereinafter he would not threat him in future. He has also changed his business and he is now providing services in the electronic field. The Applicant has no criminal antecedent.

3. Taking into consideration the ratio of the judgment of the Apex Court in the case of **Gian Singh vs. State of Punjab [(2012) 10 SCC 303]** will squarely apply to the facts of the present case. We are satisfied that the dispute between the parties is a personal one and there is no impediment in quashing the said complaint. Both the parties are present in the Court. Affidavit filed by the Original Complainant is taken on record. We have interviewed both the parties. Respondent No.2 has stated that he has no objection if the criminal complaint is quashed. Hence, writ petition is allowed in terms of prayer clause (a) to the petition and disposed of.

Ms. NUTAN D. SARDESSAI, J.

V.M. KANADE, J.