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IN THE HIGH COURT OF JUDICATURE AT BOMBAY  
CRIMINAL APPELLATE JURISDICTION

WRIT PETITION No. 3691 OF 2016

Bhaveshkumar Thakur & Ors. ... Petitioners  
Vs.  
State of Maharashtra & Anr. ... Respondents

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Mr. R. K. Mendadkar i/b V. A. Madane, for the Petitioners.  
Ms. S. V. Sonawane, APP for Respondent No. 1.  
Mr. Rahul Matkari, for Respondent No. 2.

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CORAM : V. M. KANADE, &  
Ms. NUTAN D. SARDESSAI, JJ.  
DATE : NOVEMBER 15, 2016

PC.

1. Heard the learned counsel appearing on behalf of the  
Petitioners and the learned counsel appearing on behalf of Respondent  
No. 2.

2. This petition is filed by the Petitioner husband and his  
parents for quashing the criminal complaint filed by Respondent No. 2  
wife, for the offences punishable under Section 498-A, 323, 504, 506  
and 34 of Indian Penal Code. Respondent No. 2 has filed an affidavit

stating therein that she has no objection if the complaint filed by her is quashed and set aside. We have interviewed Respondent No. 2, who is present in the Court. She has stated that both the parties have settled the dispute, and her marriage with Petitioner No. 1 has been dissolved under Section 13-B of the Hindu Marriage Act, 1955. We are satisfied that quashing of the criminal complaint is in the best interest of the wife, her daughter, the husband and family members of both the parties.

3. Both the parties have relied on the judgments of the Apex Court in the case of - (i) ***B. S. Joshi Vs. State of Haryana [(2003) 4 SCC 675]***; and (ii) – ***Gian Singh Vs. State of Punjab & Anr. [(2012) 10 Supreme Court cases 303]*** in which it is held that the High Court has inherent power to quash the complaint if the dispute between the parties is a personal one. The ratio of both the judgments, in our view, would squarely apply to the facts of the present case. Writ petition is, therefore, allowed in terms of prayer clause (a), and is accordingly disposed of.

Sd/-

[Ms. NUTAN D. SARDESSAI, J.]

Sd/-

[V. M. KANADE, J.]