

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE SIDE JURISDICTION**

CRI. WRIT PETITION NO. 4284 OF 2015

Vinod Thakur

... Petitioner.

V/s.

The State of Maharashtra & Anr.

... Respondents.

Mr. Vishnu Sharma i/by Asmita Jaiswal, Advocate for the
Petitioner.

Mr. K. V. Saste, APP for the State.

Mr. L. R. Shukla, Advocate for Respondent No. 2.

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

DATE : 21st DECEMBER, 2016

P.C. :

1 Not on Board. Mentioned. Taken up on production
board.

2 This petition is filed by the petitioner for quashing
the FIR which is registered against him with Samta Nagar
Police Station, Mumbai vide FIR No. 68 of 2015 for the
offences punishable under sections 420, 406 read with section
34 of the Indian Penal Code.

3 Respondent No.2-complainant is present in the court. She has filed consent affidavit, stating therein that she has received the amount of Rs.2,50,000/- from the Petitioner and, therefore, she has no grievance against the petitioner any longer and that she does not wish to prosecute the petitioner.

4 We have interviewed Respondent No.2-complainant. She has stated that she has no objection if the complaint is quashed. The dispute was essentially of a civil nature and therefore, in view of the ratio of the judgment of the Apex Court in the case of **Gian Singh vs. State of Punjab & Anr.**, reported in (2012) 10 Supreme Court Cases 303, we have no hesitation in quashing the criminal complaint filed by Respondent No.2 against the Petitioner.

5 The Petition is, therefore, allowed in terms of prayer clause 8(i) and the same is disposed of accordingly.

(Ms.NUTAN D.SARDESSAI,J)

(V.M.KANADE,J)

....