

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO. 1376 OF 2016

1. Mr. Nikhil Anil Premchandani
2. Mr. Anil Ram Premchandani
3. Mrs. Kajal Anil Premchandani
4. Ms. Jagriti Anil Premchandani ... Applicants
vs.
The State of Maharashtra & another ... Respondents
.....
Rimpal Trivedi for the Petitioner.
Mr. K. V. Saste, APP for Respondent No.1-State.
Mr. Datta Mane for Respondent No.2.
.....

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

DATE : NOVEMBER 29, 2016

PC.:

1. Heard the learned counsel for the applicants and the learned counsel for respondent no.2.

2. This is an application for quashing of the criminal complaint filed by respondent no.2 under Sections 398A and 406 r/w 34 of the Indian Penal Code, registered at Tilak Nagar Police Station vide C.R. No. I-51/2014. The complainant is present in Court. She has stated that she has no objection if the complaint is quashed. The parties have already filed consent terms in the Family Court. In view of the above, the ratio laid down by the Supreme Court in the case of **B. S. Joshi**

vs. State of Haryana, reported in ***(2003) 4 SCC 675*** will squarely apply to the facts of the present case, and therefore, the complaint is liable to be quashed by consent.

3. The application is, therefore, allowed in terms of prayer clause (a) and disposed of accordingly.

(Ms. NUTAN D. SARDESSAI, J.)

(V. M. KANADE, J.)