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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION No. 1408 OF 2016

Mohd. Amir Murtuza Khan @ Guddu & Anr. ... Applicants
Vs.
The State of Maharashtra & Anr. ... Respondents

Mr. Satyaram R. Gaud, for the Applicants.
Mrts. S. V. Sonawane, APP for Respondent Nos. 1 -State.
Mr. Hushsham Khan, for Respondent No. 2.

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

DATE : DECEMBER 5, 2016

PC.

1. This application is filed for quashing the criminal complaint which is registered with Nagpada police station vide 294/2015 for the offences punishable under Sections 324 read with 34 of IPC. The complainant (Respondent No. 2) is present in the Court. He has filed his affidavit in reply in which he has stated that he has no objection, if the complaint is quashed since the matter is amicably settled between the parties. We have interviewed the complaint in the

Court, and he has reiterated what he has stated in the reply affidavit. Both the accused / Applicants are present in the Court.

2. It appears that there were some altercations between Amir Rafai and one other person. In the complaint it is alleged that when the complainant tried to intervene, he was assaulted by the Applicants.

3. We have seen the injury certificate. The doctors have mentioned in the injury certificate that the injury was of a simple nature. Taking into consideration these facts, we are of the view that the ratio of the judgment of the Apex Court in the case of - ***Narinder Singh & Ors., Appellants Vs. State of Punjab & Anr., Respondents [(2014) 6 SCC 466]***, will squarely apply to the facts of the present case. We therefore allow the application in terms of prayer clause (b), and it is accordingly disposed of.

Sd/-
[Ms. NUTAN D. SARDESSAI, J.]

Sd/-
[V. M. KANADE, J.]

Vinayak Halemth