

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

CRI. WRIT PETITION NO. 4194 OF 2016

Sandeep O Goswami & Ors.

... Petitioners.

V/s.

The State of Maharashtra & Anr.

... Respondents.

Mr. Omprakash Dubey, Advocate for the Petitioners.

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

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

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

DATE : 22nd DECEMBER, 2016

P.C. :

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

2 By this petition, the Petitioner is seeking quashing of the criminal complaint filed by Respondent No.2 against him for the offences punishable under sections 498-A & 307, 328 r/w. section 34 of the Indian Penal Code, which is registered with Samta Nagar Police Station, Mumbai.

3 Respondent No.2 has filed affidavit, stating therein that the parties have amicably settled the dispute and have executed the deed of settlement. We have interviewed the Respondent No.2-complainant, who is present in the court. She has stated that she has no objection if the criminal complaint filed by her is quashed. In our view the ratio of the judgment of the Apex Court in the case of **B. S. Joshi vs. State of Haryana & Anr.**, reported in AIR 2003 Supreme Court 1386, would squarely apply to the facts of the present case.

4 Therefore, the writ petition is allowed in terms of prayer clause (a) and the same is disposed of accordingly.

(Ms.NUTAN D.SARDESSAI,J)

(V.M.KANADE,J)

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