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

CRIMINAL APPLICATION NO.1320 OF 2015

Ruksana Afsar Khan	..Applicant
<i>Versus</i>	
The State of Maharashtra & Ors.	..Respondents

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Ms. Shama Mulla i/b. M/s. Jay & Co. for the Applicant.
Mr. K. V. Saste, APP, for the Respondent-State.

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**CORAM: RANJIT MORE &
A. K. MENON, JJ.**

DATE : 19TH JANUARY, 2016

PC.:

Heard learned counsel for the applicant and learned APP appearing for the respective parties.

2] The complainant herself has approached this Court invoking jurisdiction of this Court under Article 226 of the Constitution of India read with Section 482 of the Code of Criminal Procedure, 1973, for quashing and setting-aside FIR bearing No.I-70 of 2013 registered with Ambad Police Station, for the offences punishable under Sections 498A, 323, 504, 506 read with Section 34 of the Indian Penal Code, 1860.

3] The applicant and respondent No.2 are wife and husband. Respondent no.3 to 7 are applicant's in-laws. Marital dispute between the parties gave rise to registration of the subject F.I.R.

4] Pending investigation, the parties have settled their dispute amicably. The applicant and respondent no.2 have started residing together. There are no complaints against each other. In the circumstances, the applicant has approached this Court for quashing and setting aside the subject FIR. The applicant is personally present before the Court. She confirms the contents of the application. On being questioned, she specifically stated that she is residing along with respondent no.2 and therefore, do not want to proceed with the subject FIR.

5] It can, thus, be seen that the matter has been amicably settled between the parties. Perusal of the complaint, makes it clear that the allegations are totally personal in nature. In these circumstances and especially in view of the law laid down by the Apex Court in the case of ***B.S.Joshi versus State of Haryana AIR 2003 SC 1386***, we are of the view that quashing of the FIR would be

in the interest of the applicant. Besides, no purpose would be served by keeping the criminal proceedings pending except burdening the Criminal Courts which are already overburdened. In that view of the matter and in the interests of justice, the subject FIR is required to be quashed. The application is, accordingly, made absolute in terms of prayer clause (a) and is disposed of as such.

(A. K. MENON, J.)

(RANJIT MORE, J.)

wadhwa