

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

WRIT PETITION NO.281 OF 2017

Mr. Jugal Ashok Joshi & Ors.] ... Petitioners

Versus

1. The State of Maharashtra,]
2. Ms. Vibhuti Jugal Joshi.] ... Respondents

Mr. N. B. Surana for Petitioners.

Mr. N. B. Patil, APP for State.

Mr. P. M. Bhatt for Respondent No.2.

CORAM :- RANJIT MORE &
SARANG V. KOTWAL, JJ.

DATE :- 6 JULY, 2017

P. C. :-

1. Heard the learned Advocate for the petitioners, the learned Advocate for the respondent no.2 and the learned APP.

2. The petition is filed for quashing the FIR bearing C.R.No.230 of 2015 registered at Pant Nagar Police Station, at the instance of respondent no.2, for the offences punishable under Sections 498A, 406, 323 and 504 r/w 34 of the IPC.

3. The petitioner no.1 and the respondent no.2 got married on 24/06/2012. The rest of the petitioners are the relations of the petitioner no.1. The marital discord between the parties gave rise to filing of civil as well as criminal proceedings. The subject case is one of them.

4. Pending investigation, the parties settled their disputes amicably and in pursuance of the understanding arrived at between them, they have approached this Court for quashing of the subject FIR by consent.

5. The respondent no.2 has also filed her separate affidavit dated 29/06/2017. In para 4, she has stated that she has no objection for quashing the subject FIR. The respondent no.2 who is present in Court, on a specific query, states that she has gone through the petition and the affidavit and she has understood the contents thereof and she has no objection to quash the subject FIR against the petitioners. She has also stated that she has given consent out of her free will and without any force or coercion.

6. It can, thus, be seen that the matter has been amicably settled between the parties. From the perusal of the complaint, it transpires 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 *Narinder Singh Vs. State of Punjab*¹, we

¹ 2014 AIR SCW 2065

find that no purpose would be served by keeping the criminal proceedings pending except burdening the criminal Courts which are already overburdened.

7. In view of the above, the petition is allowed in terms of prayer clause (a) and disposed off accordingly.

(SARANG V. KOTWAL, J.)

(RANJIT MORE, J.)