

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

WRIT PETITION NO.282 OF 2017

Mrs. Jigna Prakash Joshi.] ... Petitioner

Versus

1. The State of Maharashtra,]
2. Mrs. Neeta Kantial Thakar.] ... Respondents

Mr. N. B. Surana for Petitioner.
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. The learned Advocate for the petitioner, at the outset, seeks leave to correct the name of the respondent no.1. Leave granted. Necessary amendment to be carried out forthwith.

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

3. The petition is filed for quashing the FIR bearing C.R.No.277 of 2016 registered at Pant Nagar Police Station, at the instance of respondent no.2, for the offences punishable under Sections 354, 323 and 504 r/w 34 of the IPC.

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 petitioner. 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 find that no purpose would be served by keeping the criminal

¹ 2014 AIR SCW 2065

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.)