

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO.84 OF 2016

Vrajesh Kanhaiyalal Mehta.] ... Applicant

Versus

1. The State of Maharashtra,]
2. Ms. Namrata Govind Jadhav.] ... Respondents

Mr. Himanshu Shinde for Petitioner.

Mrs. A. S. Pai, APP for State.

Ms. Raksha R. Dhotri for Respondent No.2.

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

DATE :- 12 JULY, 2017

P. C. :-

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

2. The Criminal Application is filed for quashing criminal case no.100/PW/2016 pending on the file of the learned Railway Mobile Court at Andheri, Mumbai. The said case arises out of registration of FIR bearing C.R.No.224 of 2015 registered at the instance of the respondent no.2 with Versova Police Station, Mumbai, for an offence punishable under Section 354 of the IPC.

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

4. The respondent no.2 accordingly filed an affidavit-in-reply dated 12/07/2017. In para 12, he has given no objection for quashing the subject FIR.

5. The respondent no.2 is personally present in the Court. On specific query, she states that she has gone through the the affidavit as well as the contents of the petition. In the above circumstances, she has no objection to quash the subject FIR. She has also stated that she has given no objection 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 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 proceedings pending except burdening the criminal Courts which are already overburdened.

¹ 2014 AIR SCW 2065

7. Accordingly, the Criminal Application is allowed in terms of prayer clause (a).

(SARANG V. KOTWAL, J.)

(RANJIT MORE, J.)