

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
CRIMINAL WRIT PETITION NO. 1692 OF 2017

Prashant Ramesh Shah	Petitioner
versus	
The State of Maharashtra and anr.	Respondents

Mr. Rajendra Shirodkar i/b. Mr. Archit Sakhalkar, advocate for the petitioner.
Mr. S. R. Shinde, APP for the State.
Ms. Rekha Shinde i/b. Legal Chartered, advocate for the respondent No.2.

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

DATE : 29th JUNE, 2017.

P. C. :

Heard Mr.Shirodkar, learned counsel for the petitioner,
Ms. Shinde, learned counsel for the respondent No.2 and Mr.Shinde,
learned APP for the State.

2. The petition is filed for quashing and setting-aside the FIR No.374 of 2016 registered with Pant Nagar Police Station, at the instance of respondent No.2, for the offences punishable under Sections 326, 504 and 506(II) of the Indian Penal Code, 1860.

3. The petitioner and respondent No.2 are husband and wife. Matrimonial dispute between the parties gave rise to registration of the

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

4. Respondent No.2 has filed an affidavit dated 18th April, 2017. In paragraph 2 thereof, she has given her no objection for quashing the subject FIR. Respondent No.2 is personally present before the Court. On being questioned, she specifically stated that she has gone through the petition and affidavit as well and has understood the contents thereof. She has further confirmed that that she is giving no objection for quashing the subject FIR out of free will and without there being any pressure or coercion.

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 subject FIR would be in the interest of respondent No.2. 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 petition is, accordingly, made absolute in terms of prayer clause (A) and is disposed off as such.

(SARANG V. KOTWAL, J.)

[RANJIT MORE, J.]