

CRIMINAL WRIT PETITION NO.2757 OF 2017

Ms.Anu Dony Pareria & Ors. Petitioners
versus
The State of Maharashtra & Ors. ... Respondents
.....

- CORAM : RANJIT MORE &
A. S. GADKARI, JJ.**
DATE : 28th JULY, 2017.

1. Heard the learned counsel for the petitioner, respondent No.3 and learned APP.
2. The petition is filed under section 482 of the Code of Criminal Procedure, 1973, for quashing and setting aside FIR bearing C.R.No.I-578/16, registered with Tulinj Police Station, Mumbai. The said FIR is registered against the petitioner at the instance of respondent No.3 for the offences punishable u/s 452, 420 r/w 34 of the Indian Penal Code.

3. Pending investigation, the parties to the petition have settled their dispute amicably and entered into consent terms dated 28/07/2017. The consent terms are signed by the petitioners and respondent No.3 alongwith their respective counsel. The copy of the consent terms is taken on record and marked "X" for identification. In terms of the consent terms, the parties have approached this Court for quashing the FIR by consent. The respondent No.3 has filed an affidavit dated 28/07/2017. In paragraph No.4, she has stated that she has no objection for quashing and setting aside the subject FIR.

4. The respondent No.3 is personally present before the Court. On being questioned, she specifically stated that she has gone through the affidavit and has fully understood the contents thereof and has no objection, if the subject FIR is quashed and set aside. She also stated 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. 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 (2014 AIR SCW 2065)*, we find that no purpose would be served by keeping the FIR pending except burdening the Criminal Courts which are already overburdened.

6. Accordingly, the petition is allowed in terms of prayer clause (a) and stands disposed off as such.

(A. S. GADKARI, J.)

(RANJIT MORE, J.)