

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION**

CRIMINAL APPLICATION NO.744 OF 2017

Rahul Vijay Panvelkar

.... Applicant

versus

Sahil Rajendra Joglekar & Ors.

... Respondents

.....

- Mr.I.R. Kulkarni, Advocate for the Applicant.
- Mrs.M.H. Mhatre, APP for the State/Respondents.

**CORAM : RANJIT MORE &
SARANG V. KOTWAL, JJ.
DATE : 24th JULY, 2017.**

P.C. :

1. The learned counsel for the applicant seeks leave to amend the petition so as to mention the number of the criminal case. Leave granted. Necessary amendment to be carried out forthwith.
2. Heard the learned counsel for the applicant and learned APP.
3. The complainant himself has approached this Court for quashing the proceedings of Regular Criminal Case No.767/15 pending on the file of learned Judicial Magistrate's First Class,

Ulhasnagar, Dist-Thane. The said case arises out of registration of FIR bearing C.R.No.I-242/14, registered with Shivaji Nagar Police Station, Mumbai, for the offences punishable u/s 417, 420, 500 r/w 34 of the Indian Penal Code and section 4 of Dowry Prohibition Act.

4. The complainant's sister after the incident in question married with respondent No.1. Thus, the parties have settled their dispute amicably. In the light of this, the complainant has approached this Court for quashing the criminal case.
5. The applicant, original complainant is personally present in the Court. On specific query he stated that in view of the settlement between the parties he does not want to pursue the criminal case.
6. The applicant had earlier filed an affidavit before the learned trial Court in Regular Criminal Case No.767/15 for compounding of the offence. So far as offences u/s 417, 420, 500 of the Indian Penal Code are concerned, the learned Magistrate compounded the same. Since the offence u/s 4 of the

Dowry Prohibition Act is not compoundable, the petitioner approached this Court invoking jurisdiction u/s 482 of Cr.P.C.

7. As stated above since the dispute between the parties is settled, there is no point in keeping the subject criminal case pending. 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 criminal proceedings pending except burdening the Criminal Courts which are already overburdened.

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

(SARANG V. KOTWAL, J.)

(RANJIT MORE, J.)