

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
WRIT PETITION NO. 2888 OF 2017**

Neelakantan Pillai & anr.

..Petitioners

Vs.

State of Maharashtra & anr.

..Respondents

Mr. Ashok Mundargi, Senior Counsel a/w. Mr. Faisal Sayyed, Mayur Bhojwani & Prangana Barua i/b. M/s. Manilal Kher Ambalal & Co., for the Petitioners.

Mr. A.R. Kapadnis, APP for State.

Mr. Rahul Jain, for the Respondent No. 2.

**CORAM :RANJIT MORE &
SMT.SADHANA S. JADHAV,JJ
DATE : AUGUST 10, 2017**

P.C.

1 Heard Mr. Mundargi, learned Senior Counsel for the Petitioner, Mr. Rahul Jain, learned Counsel for the Respondent No. 2 and Mr. Kapadnis, learned APP for State.

2 The Writ Petition is filed for quashing and setting aside the FIR bearing Crime No. 222 of 2015 registered with Matunga Police Station at Mumbai at the instance of Respondent No. 2 for offence punishable under section 120(B), 406, 420 & 506 of the Indian Penal

Code.

3 Pending investigation, the parties settled their dispute amicably and in pursuant to the understanding arrived between them approached this Court for quashing and setting aside the subject FIR by consent. The respondent No.2 has filed an affidavit dated 10th August, 2017. In paragraph 6, he has given his no objection for quashing and setting-aside the subject FIR. The Respondent No.2 is personally present before the Court. On being questioned, he specifically stated that he has gone through the petition and the affidavit as well and has fully understood the contents thereof. He further confirmed that he is giving no objection for quashing the subject FIR out of free will and without there being any pressure or coercion.

4 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.

5 Accordingly, the Writ Petition is allowed in terms of prayer
clause (b). The Criminal Writ Petition stands disposed of.

[SMT.SADHANA S. JADHAV,J]

[RANJIT MORE, J]