

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

CRIMINAL APPLICATION NO.974 OF 2017

Mrs. Ashwini Amit Shinde and anr. ... Applicants

V/s.

The State of Maharashtra ... Respondent

Mr. Deepak K. Girme for the Applicants.

Mr. V. B. Konde-Deshmukh, APP for the Respondent.

CORAM : NARESH H. PATIL AND

NITIN W. SAMBRE, JJ.

DATE : DECEMBER 18, 2017.

P.C.(PER NITIN W. SAMBRE,J.) :

. The applicant No. 1-Ashwini is complainant in Crime No. 430 of 2017 registered with non-applicants on July 14, 2017 for an offence punishable under Sections 325, 323, 504, 506, 427 r/w 34 of the Indian Penal Code, in which the applicant No. 2 alongwith other two persons is shown to be accused.

2. In Crime No.449 of 2017 registered on July 25, 2017 for an offence punishable under Sections 354, 504, 323 r/w 34 of IPC, the applicant No. 2 is shown to be complainant and applicant No.

1-Ashwini alongwith two others is shown to be accused persons.

3. Both these crimes are registered pursuant to the dispute about parking of vehicle.

4. Applicant-Ashwini claimed to be sister of one Rohini, Who was residing in Mangaldeep society, in which applicant No. 2 alongwith her family members are residing. It is claimed that the husband of Ashwini has parked his vehicle in the area, which is earmark as parking of vehicles of applicant No.2, which has resulted into registration of respective offences.

5. Perused both the FIRs and the consent terms tendered by both the applicants, who are complainants in respective crimes.

6. From the perusal of the application and the consent terms, it depicts that the parties to the application are educated and have no criminal antecedents. The parties have expressed their remorse for being involved in the crime in question. It is expressly mentioned in the consent terms, that the incident has occurred at

the spur of movement and the parties have their family members residing in the neighbourhood, as such they have decided to maintain harmony, peace and love.

7. Both the applicants are personally present before the court alongwith some of the accused persons and have agreed to the terms of settlement arrived at for the purpose of quashing of respective crime/prosecution against them.

8. In the wake of the Law laid down by the Apex Court in the matter of **Narindersingh Vs. State of Punjab and others** reported in **2014 AIR SCW 2065** particularly paragraph No. 31, it will be appropriate to order that the prosecution initiated vide Crime No. 430 of 2017 and Crime No. 449 of 2017 registered with the non-applicants, in which charge-sheet is already filed are hereby quashed. The application stands allowed in above terms. The Respondent No.2 agreed to pay costs of Rs.10,000/- to the High Court Legal Services Authority. The receipt be produced within four weeks.

(NITIN W. SAMBRE, J.)

(NARESH H. PATIL, J.)