

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
CRIMINAL APPLICATION NO. 1344 OF 2015

Yogeshwar Vikram Singh	Applicant
versus	
The State of Maharashtra and anr.	Respondents

Mr. S. T. Gaikwad, advocate for the applicant.
Mr. N. B. Patil, APP for the State.
Ms. Kanchan Pawar, advocate for the respondent No.2.

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

DATE : 22nd JUNE, 2017.

P. C. :

Heard Mr. Gaikwad, learned counsel for the applicant,
Ms. Pawar, learned counsel for the respondent No.2 and Mr. Patil,
learned APP for the State.

2. The criminal application is filed for quashing the proceedings of the Regular Criminal Case No.2332 of 2015 pending on the file of the learned JMFC Court at Pune. The said case arises out of registration of FIR bearing CR No.327 of 2014 with Hinjiwadi Police Station, Pune, at the instance of respondent No.2 for the offences punishable under Sections 498-A, 323 and 504 of the Indian Penal Code, 1860.

3. The applicant and respondent No.2 are husband and wife. Due to marital discord, the subject FIR came to be filed. Pending trial, the parties have settled their dispute amicably with the intervention of the relatives, friends and well-wishers and have approached this Court for quashing the proceedings of the subject criminal case by consent. The respondent No.2 has filed an affidavit dated 6th April, 2017. In paragraph 4 thereof, she has stated that she does not want to pursue the aforesaid criminal case in view of the settlement arrived at between her husband and herself and has accordingly given her no objection to quash the proceedings of the subject criminal case. The applicant and respondent No.2, both are present before the Court. They stated that they are residing at Delhi and have no complaint against each other. On being questioned, the respondent No.2 specifically stated that that she has gone through the criminal application and the affidavit as well and has understood the contents thereof. She further confirmed that that she is giving no objection for quashing the proceedings of the subject criminal case 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. 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 proceedings of the subject criminal case would be in the interest of the 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 proceedings of the subject criminal case are required to be quashed. The criminal application is, accordingly, made absolute in terms of prayer clause (a) and is disposed off as such.

(SARANG V. KOTWAL, J.)

[RANJIT MORE, J.]