

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
CRIMINAL APPLICATION NO. 37 OF 2018**

Mr. Kevin Pradeep Shah and
others

.. Applicants

Vs.

Mrs. Neha Kevin Shah & Ors.

.. Respondents

....

Mr. Vikram R. Sutaria Advocate for Applicants
Ms. Karishma R.K. Advocate for Respondent No.1
Mrs. G.P. Mulekar A.P.P. for the State

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**CORAM : SMT.V.K.TAHILRAMANI ACTING C.J.
AND M.S.KARNIK, J.**

DATED : FEBRUARY 06, 2018

ORAL ORDER [PER SMT. V.K.TAHILRAMANI, ACTING C.J.]:

1 The applicants - original accused nos. 1 to 4 are seeking quashing of CR No. 302 of 2014 of Nagpada Police Station, Mumbai which was subsequently transferred to Women Atrocities Prevention Cell Unit-II, C.B. C.I.D. Mumbai and is re-numbered as CR No. 8 of 2014. The said case is under Sections 498-A, 406, 323, 325, 504, 506 read with Section 34 of IPC. The case is pending before the learned 69th Metropolitan Magistrate, Mumbai and the said case is numbered as CC No.

6900262/PW/2015.

2 Heard the learned counsel for the applicants - original accused nos. 1 to 4, learned counsel for respondent no.1 - original complainant and the learned A.P.P. for the State.

3 All the applicants are present before the Court. The complainant is also present before the Court. She has stated that the case was lodged on account of matrimonial dispute and on account of misunderstanding. It is further stated that the dispute has been amicably resolved between the parties and she has no objection to quashing of the said case against the applicants. She has also tendered affidavit along with Aadhar Card which are taken on record and marked "**X - Colly.**" for identification. In this view of the matter, the case would be covered by the decision of the Supreme Court in the case of **Gian Singh Vs. State of Punjab** reported in **2012 (10) SCC 303**.

4 Looking to the fact that the matter has been amicably settled between the parties and looking to the fact that the complainant does not wish to pursue her case against the

applicants and the complainant is seeking quashing of the case, we are of the opinion that no purpose would be achieved by continuing with the prosecution in the said case. In this view of the matter, CR No. 8 of 2014 of Women Atrocities prevention Cell Unit-II, C.B. C.I.D. Mumbai (earlier CR No. 302 of 2014 of Nagpada Police Station, Mumbai) and the proceedings relating thereto are quashed.

5 Application is allowed in above terms and disposed of accordingly.

M.S.KARNIK, J.

ACTING CHIEF JUSTICE

Kandarkar