

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
CRIMINAL APPLICATION NO. 1166 OF 2016**

Mr. Shalin Deepak Padhiar .. Applicant

Vs.

The State of Maharashtra and Anr. .. Respondents

**WITH
CRIMINAL WRIT PETITION NO. 896 OF 2017**

Sucheta Sambit Roy .. Petitioner

Vs.

The State of Maharashtra & Anr. .. Respondents

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Ms. Sonal Parab along with Ms. Priyanka J. Ahuja Advocate i/b
Rajeev Sawant and Associate Advocate for the applicant in Cri.
Application No. 1166 of 2016.

Mr. Madhukar P. Dalvi Advocate for Petitioner in Cri. W.P. No.
896 of 2017

Mr. Arfan Sait 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 Shalin Padhiar the applicant in Criminal Application
No. 1166 of 2016 is seeking quashing of F.I.R. No. 228 of 2016

of Vile Parle Police Station, Mumbai and the proceedings relating thereto. The said F.I.R. is under Sections 376 and 506 of IPC and under Section 67(A) of the Information Technology Act. Sucheta Roy who is the petitioner in Cri. Writ Petition No. 896 of 2017 is the complainant who lodged F.I.R. 228 of 2016.

2 In Cri. Writ Petition No. 896 of 2017 the petitioner Sucheta Roy is seeking quashing of C.R. No. 141 of 2016 of Vile Parle Police Station, Mumbai. The said case is under Sections 323, 326, 504 and 506 of IPC. The FIR in said case is lodged by Shalin Deepak Padhiar who is the complainant and the applicant in Criminal Application No. 1166 of 2016.

3 Heard the learned counsel for the respective parties.

4 The complainants in both the cases i.e. applicant in Criminal Application and the petitioner in Criminal Writ Petition are present before the Court. Both the complainants i.e. the applicant and petitioner in both the cases have stated that the disputes have been amicably settled between the parties and they have no grievance against each other. They have prayed

that F.I.R. No. 228 of 2016 and C.R. No. 141 of 2016, both of Vile Parle Police Station, Mumbai be quashed as the dispute has been amicably settled between the parties. The applicant as well as the petitioner in both the matters, have tendered affidavits along with xerox copies of their Aadhar Cards which are taken on record and marked “X-Colly.” respectively in both the matters and kept separately in each matter.

5 Looking to the fact that the dispute has been amicably settled between the parties and looking to the fact that the complainant in each matter does not wish to pursue the cases against each other, we are of the opinion that no purpose would be achieved by continuing with the prosecution in the said cases. In this view of the matter, F.I.R. No. 228 of 2016 and C.R. No. 141 of 2016, both of Vile Parle Police Station, Mumbai and the proceedings relating thereto are quashed.

6 Application and petition are allowed in above terms and disposed of accordingly.

M.S.KARNIK, J.

ACTING CHIEF JUSTICE