

1 The above Criminal Application has been filed for quashing of the F.I.R. being C.R. No. 144 of 2018, registered with the Charkop Police Station, Mumbai, on 13th April 2018, for the offences punishable under Sections 354, 323, 504, 506(II) read with 34 of the Indian Penal Code. The said F.I.R. is the fall-out of the incident which took place on 13th April, 2018.

2 It is not necessary to dilate further on facts as the first informant and the Respondent no.2 have filed an affidavit bearing today's date i.e. 3rd May, 2018 and affirmed before the Notary Mrs. Aliya N. Pathan bearing Notarial registration No. 29949 dated 3rd May, 2018. In the context of the relief sought in the above application, paragraph 5 of the said affidavit is material and is reproduced hereinunder :

“5 We say that we have not objection for quashing of the F.I.R. No.144 of 2018 registered with the Charkop police station for the offences u/s 354, 323, 504, 506(2), 34 IPC against the Applicant.”

3 The Respondent no.1, Smt. Shabnam Singh i.e. the first informant is personally present in Court. She is identified by the learned counsel, Ms. Rupal Mishra. She is also identified by her Adhar Card bearing No. 2994 3146 3041. When put in the box and queried, she states that she has been read over and explained the contents of the Affidavit. She further states that she has understood the contents of the Affidavit. She further states that she has signed the same of her own free will and

volition. She lastly states that she does not desire to proceed with the F.I.R. in question, in view of the settlement arrived at between the parties.

4 The Respondent no.2, Mr. Rewati Raman Singh i.e. the husband of the Respondent no.1 is also personally present in Court. He is identified by the learned counsel, Ms. Rupal Mishra. He is also identified by his Adhar Card bearing No. 7468 0156 9939. He states likewise. The Applicant Mr. Rajeev Chaudhary is also personally present in Court. He is identified by the learned counsel, Mrs. Ingale. He is also identified by his Adhar Card bearing No.9346 1495 3409. When put in the box and queried, he accepts the factum of the settlement arrived at between the parties.

5 Having regard to the affidavit filed by the Respondent nos. 1 and 2 as also the statements made by the Respondent nos. 1 and 2 and the Applicant, when put in the box and queried, the same unequivocally indicate that the parties

have settled their dispute, as a result of which the Respondent no.1 i.e. the first informant is not desirous to proceed with the F.I.R. in question.

6 Having regard to the aforesaid facts as also having regard to the judgments of the Apex Court in the matter of Gian Singh V/s State of Punjab & Anr. reported in (2012) 10 SCC 303 and Narinder Singh & Ors. Vs. State of Punjab & Anr., reported in (2014) AIR SCW, 2065 no useful purpose would be served in keeping the proceedings pending. The Application would accordingly be required to be allowed and is accordingly allowed and made absolute in terms of prayer clause (a).

7 The Applicant to deposit costs of Rs.10,000/- (Rupees Ten Thousands only) with the State Legal Aid Fund within six weeks from date. Receipt to be obtained and filed in the Registry.

(SARANG V. KOTWAL, J.)

(R.M. SAVANT, J.)