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

CRIMINAL APPLICATION NO.830 OF 2018

Jyoti Deepak Parcha and Ors.	...Applicants
Versus	
The State of Maharashtra	...Respondent

Mr.N.P.Hinduja, for the Applicants.

Mrs.P.P.Shinde, A.P.P for the Respondent-State.

Mr.Deepak Bijendra Parcha, Applicant No.2 is present.

PSI – Vijay Vagare, Oshiwara Police Station, Mumbai.

***CORAM : R. M. SAVANT &
REVATI MOHITE DERE, JJ.***

DATE : 8th AUGUST, 2018

P.C. :

1. The above Criminal Application has been filed for quashing of the FIR being C.R. No.192 of 2018, registered with the Oshiwara Police Station, Mumbai, for the offences punishable under Sections 498(A), 406, 354(B), 509, 506 and 34 of the Indian Penal Code.

2. The First Informant is the Applicant No.1 and the accused i.e.

her husband is the Applicant No.2. The above Application is therefore a joint Application by the complainant and the accused for quashing of the FIR in question. The other Applicants are the relations of the husband – Deepak Bijendra Parcha.

3. The averments in the above Application disclose that the parties have settled their dispute, as a result of which, the above Application has been jointly filed for quashing of the FIR in question.

4. The Applicant No.1 – Jyoti Deepak Parcha is personally present in Court. She is identified by the learned Counsel Mr.Hinduja. She is also identified by her Aadhaar Card bearing No 7631 3341 4125. When put in the box and queried, she states that in view of the settlement, she is not desirous of proceeding with the FIR in question. The Applicant No.2 – Deepak Bijendra Parcha is also personally present in Court. He is identified by the learned Counsel Mr.Hinduja. He is also identified by his Aadhaar Card bearing No.2978 8785 1278. When put in the box and queried, he states that he and the Applicant No.1 are residing together and in view of the settlement between the parties, the Applicant No.1 is not

desirous of proceeding with the FIR in question.

5. In view of the statements recorded of the Applicant No.1 and the Applicant No.2, it is not necessary to record the statements of the other Applicants, who are relations of the Applicant No.2.

6. In the factual backdrop as above and having regard to the judgments of the Apex Court in the matter of ***Gian Singh vs. State of Punjab & Anr.***¹ and ***Narinder Singh & Ors. vs. State of Punjab & Anr.***², no useful purpose would be served in keeping the FIR in question pending.

7. The above Criminal Application is therefore required to be allowed and is accordingly allowed in terms of prayer clause (b).

8. The above Criminal Application is accordingly disposed of.

(REVATI MOHITE DERE, J.)

(R. M. SAVANT, J.)

1 (2012) 10 SCC 303

2 2014 AIR SCW 2065