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**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
CRIMINAL APPLICATION NO. 867 OF 2018**

Digvijay Sunil Rajurkar

.....Applicant

V/s.

The State of Maharashtra and another

.....Respondents

Mr. Pandit Kasar for the applicant

Ms. Pratibha Shelke for respondent no. 2

Mrs. P. P. Shinde APP for the State

**CORAM : RANJIT MORE &
BHARATI H. DANGRE, JJ.
DATE : 26th SEPTEMBER, 2018**

P.C.

Not on board. Mentioned for production. In view of urgency, production was granted and taken on board.

2 Heard the learned counsel for the applicant, respondent no. 2 and the learned APP.

3 The criminal application is filed under section 482 of Code of Criminal Procedure, 1973, for quashing the F.I.R. bearing C.R. No.

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14 of 2018 registered with Vakad Police Station at Pune at the instance of respondent no. 2 for offences punishable under sections 394, 427 of the Indian Penal Code.

4 Pending investigation, the parties to the application settled their dispute amicably and, in pursuance of an understanding arrived at between them, filed the instant application for quashing of subject F.I.R. by consent. Respondent no. 2 has filed an affidavit dated 26/09/2018. In para 7, she has given no objection to quash and set aside the subject F.I.R. Respondent no. 2 is personally present before the Court. On being questioned, she specifically state that she has gone through application and affidavit as well and has fully understood the contents thereof. She further confirmed that she is giving no objection for quashing the F.I.R. out of free will and without there being any pressure or coercion.

5 It can, thus, be seen that the matter has been amicably settled between the parties. From the perusal of the complaint, it transpires 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 **Narinder Singh vs. State of Punjab** **[2014 AIR SCW 2065]**, we find that no purpose would be served by keeping the criminal proceedings pending except burdening the Criminal Courts which are already overburdened. However, at the same time, costs need to be saddled on the parties for using the police and judicial mechanism for settling their personal disputes.

6. Accordingly, the application is allowed in terms of prayer clause (a) subject to payment of costs of Rs.5000/- by the applicants to the **Kirtikar Law Library**. The applicant shall pay the said costs and produce the receipt thereof on the file of this Court within a period of four weeks from today, failing which, the criminal application shall stand dismissed automatically without further reference to the Court.

7. Subject to above, the criminal application stands disposed of.

[BHARATI H. DANGRE, J.]

[RANJIT MORE, J.]