

nsc.

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

CRIMINAL APPLICATION NO.1278 OF 2016

Jimmy Dadiba Cooper and Ors.	...Applicants
Versus	
The State of Maharashtra and Anr.	...Respondents

None for the Applicants.

Mrs.A.S.Pai, A.P.P for the Respondent-State.

ASI – S.Y.Patel, Tardeo 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.77 of 2016, registered with the Tardeo Police Station, Mumbai, on 30th March, 2016, for the offences punishable under Sections 498(A), 406, 506(2), 323, 504 and 34 of the Indian Penal Code.

2. The said FIR is a result of the marital dispute between the

Applicant No.1 and the Respondent No.2, who are husband and wife. The other Applicants are the family members of the Applicant No.1.

3. The learned A.P.P. Mrs.Pai on instructions of ASI – S.Y.Patel of Tardeo Police Station, Mumbai, who is personally present in Court, states that a 'C' Summary Report has been filed in the concerned Court in December 2017/January, 2018.

4. That apart, it is averred in the above Criminal Application that a settlement has been arrived at between the parties, as a result of which, the Respondent No.2 has filed an affidavit. The said affidavit is annexed to the above Criminal Application as Exhibit – 'C' and is dated 30th September, 2016. In paragraph 4 of the said affidavit, the First Informant – Sabrina Jimmy Cooper i.e. Respondent No.2 herein has given her no objection for quashing of the FIR in question. The same thing is repeated in paragraph 5.

5. Having regard to the 'C' Summary Report filed by the Investigating Agency as also having regard to the affidavit filed by the

Respondent No.2, the above Criminal Application is therefore required to be allowed and is accordingly allowed in terms of prayer clause (a).

6. The above Criminal Application is accordingly disposed of.

(REVATI MOHITE DERE, J.)

(R. M. SAVANT, J.)