

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
CRIMINAL APPLICATION NO.840 OF 2019

Mohammad Hanif Abdul
Samad Qureshi & Ors. .. Applicants

Vs.

The State of Maharashtra & Ors. .. Respondents

...

Mr. Ram Mani Upadhyay for the applicants.

Mr. P.T. Tiwari for respondent No.2.

Mr. K.V. Saste, A.P.P. for the State.

**CORAM: SHRI RANJIT MORE &
SMT. BHARATI H.DANGRE, JJ.**

DATED :02nd AUGUST, 2019.

P.C:-

1. FIR No.410 of 2017 is registered against the applicants, at the instance of respondent No.2, with Ghatkopar Police Station, Mumbai for the offences punishable under Sections 498A, 406, 323, 504 and 34 of the IPC. Applicant No.1 is the husband of respondent No.2 and other applicants are relatives of applicant No.1.

They have approached this court for quashing of the said FIR.

2. During the investigation of the said FIR, the parties have resolved their dispute and, presently, applicant No.1 and respondent No.2 are residing together as husband and wife along with their children. Affidavit dated 02/08/2019 is tendered by respondent No.2 in this court, wherein she has made a statement that she is presently staying with applicant No.1 and she has no grudge against him. She has also made a further statement that for keeping peace and harmony in relations, she gives her no objection for quashing the subject FIR. In the circumstances, no fruitful purpose would be served by continuing with the prosecution. The said affidavit is taken on record. Respondent No.2 is present in the court. She re-affirms the contents of the affidavit and states that she does not intend to continue with the prosecution of FIR registered against the applicants.

3. In the circumstances, since the parties have amicably resolved their dispute, no fruitful purpose can be served by continuing with prosecution and, therefore, in exercise of our inherent power under Section 482 of the Cr.P.C., we quash and set aside the subject FIR being FIR No.410 of 2017 registered with Ghatkopar Police Station, Mumbai. Criminal application is accordingly allowed in terms of prayer clause (a) of the application.

(SMT. BHARATI H. DANGRE, J.)

(RANJIT MORE, J.)