

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
WRIT PETITION NO. 3647 of 2018

Prasoon Kumar Mishra	.. Petitioner
Versus	
The State of Maharashtra & Anr	.. Respondents

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Ms.Gaurangi Patil i/b S. Ahire Sanam Kabre for the petitioner.
Ms.Akshada Thakare for respondent no.2.

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

DATED : 2nd JULY 2019

P.C:-

1 Petitioner has approached this Court for quashing and setting aside the proceedings pending in the Court of learned Judicial Magistrate First Class (Court No.6) Pune in RCC No.4242/2017 arising out of the First Information Report invoking Sections 354, 354D, 341 and 506 of the Indian Penal Code. The proceedings are instituted on a complaint filed by the respondent no.2 and the present petitioner is arraigned as an accused in the said proceedings.

2 During the pendency of the proceedings, the petitioner and respondent no.2 have amicably settled the

dispute between themselves and accordingly, has tendered an affidavit before this Court on 2nd July 2019. The said affidavit is jointly filed by the petitioner and respondent no.2 and is signed by their respective counsels. In the said affidavit, it is stated that the parties have settled the dispute once for all and it is admitted that the petitioner and respondent no.2 were in a consensual relationship for a considerable long period of time and there were certain issues which gave rise to the disagreement between themselves. The subject FIR filed by the respondent no.2 with the Hinjewadi Police Station which culminated into RCC No.4242 of 2017 was an instance of the said discord.

However, during the pendency of the said proceedings, the parties have now amicably arrived at a settlement and the respondent no.2 has stated in the affidavit that she no longer carries any grievance against the petitioner and therefore, she has stated that she has no objection if the subject proceedings arising out of FIR No. 152 of 2017 are quashed and set aside.

3 The said affidavit dated 2nd July 2019 is taken on record. The petitioner and respondent no.2 are personally present before the Court. The respondent no.2, on being specifically asked as to whether the discord between them is settled and as to whether she affirms as to what has been stated in the affidavit tendered before us, she answered in the positive.

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We have also perused the said affidavit and express that the parties who are in their youth have settled the dispute between themselves and decide to proceed further in life. The respondent no.2 do not intend to prosecute the proceedings further and express her desire to put an end to the proceedings.

4 In such peculiar circumstances, when the discord between the parties is purely personal in nature and do not have any societal impact, we are of the view that in exercise of inherent powers conferred on this Court, the said proceedings should be quashed since no useful purpose would be served by keeping the said proceedings pending, except burdening the criminal courts and particularly when, in the young age the petitioner and respondent no.2 have resolved the dispute amongst themselves, we are inclined to exercise our inherent jurisdiction and quash and set aside the RCC No.4242 of 2017 pending before the learned JMFC, Pune.

5 Writ Petition stands allowed in terms of prayer clause (a). No order as to costs.

(SMT. BHARATI H. DANGRE, J.)

(RANJIT MORE, J.)