

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

CRIMINAL WRIT PETITION NO. 4382 OF 2019

Mr.Jai Jingar

.. Petitioner

Vs.

1) The State of Maharashtra

At the instance of Senior Inspector of Police,

BKC Police Station & Anr.

.. Respondents

Ms Sudeep Pasbola I/b Raunak Naik for petitioner.

Mr.K.V. Saste, APP for respondent No.1-State.

Mr.Ashwin Thool, for respondent No.2.

**CORAM : RANJIT MORE &
N.J. JAMADAR, JJ.**

DATE : 28TH AUGUST 2019

P.C.

1 Mentioned for production. Production granted in view of urgency.

2 Heard the learned counsels for the petitioner, for respondent No.2
and the learned APP for State.

3 The petition is filed for quashing of the proceedings being C.C. No. PW/0001084/2016 pending before the learned Metropolitan Magistrate, 71st Court at Bandra, Mumbai. The said case arises out of registration of the First Information Report bearing C.R. No.32/2016 with BCK Police Station, Mumbai, at the instance of the respondent No.2, for the offences punishable under sections 354-A(1)(III) & (IV) and 509 of Indian Penal

Code, 1860 and section 2(N) of the Sexual Harassment of Women at Work Place (Prevention, Prohibition & Redress) Act, 2013.

4 Pending trial, the parties have settled their dispute amicably and have entered into the consent terms, dated 22nd August 2019, copy of which is annexed as 'Exh.C' to the petition. In view of the understanding arrived at between them, the parties have now approached this Court for quashing the subject crime. Accordingly, the respondent No.2 has filed an affidavit dated 23rd August 2019. In paragraphs 9 and 10 of the said affidavit, the respondent No.2 has given her no objection for quashing the subject criminal proceedings.

5 Petitioner and respondent No.2 are present in Court and make statement that the consent terms would be complied with by them. The statement is accepted as an undertaking to this Court. In addition, respondent No.2 also confirmed that she has no objection for quashing the subject criminal proceedings.

6 It can, thus, be seen that the matter has been amicably settled between the parties. From perusal of 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*¹, we find that no purpose would be served by keeping the criminal proceedings pending except burdening the Criminal Courts which are already overburdened.

7 Accordingly, the petition is allowed in terms of prayer clause (a) and stands disposed of.

[N.J. JAMADAR, J.]

[RANJIT MORE, J.]

1 2014 AIR SCW 2065