

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

CRIMINAL APPLICATION NO. 1397 OF 2018

Neeta Vinay Masurkar

.. Applicant

Vs.

1. The State of Maharashtra
(Through Azad Maidan Police Station)
& Anr.

.. Respondents

Mr.Arun Rajput i/b Valmiky H. Narvgekar for applicant.

Ms. Sangita Shinde, APP for respondent No.1-State.

Mr. Vishal Bhogle i/b Aakshay Topiwala for respondent No.2.

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

DATE : 9TH OCTOBER 2019

P.C.

1. Heard the learned counsel for the applicant, the learned APP for the respondent No.1 and the learned counsel for the respondent No.2.

2. The complainant herself has approached this Court for quashing and setting aside the first information report bearing C.R. No. 122 of 2018 registered with Azad Maidan Police Station, Mumbai for the offences punishable under sections 323, 324 and 504 of the Indian Penal Code.

3. The respondent No.2-accused and the applicant are husband and wife and the complaint came to be filed out of the marital discord. The dispute between the parties is settled amicably and therefore the complainant has approached this Court for quashing the subject FIR.

4. The application is affirmed by the applicant and she is also personally present in the Court. The aggrieved person, namely, the daughter of the applicant and the respondent No.2 has also filed an affidavit today giving her no objection for quashing the subject FIR. On specific query by this Court, both the applicant and the daughter of the applicant and the respondent No.2-Nieyaati Vinay Masurkar stated that they have no objection to quash the subject FIR.

5. It can, thus, be seen that the matter has been amicably settled between the parties. From the 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

1 2014 AIR SCW 2065

already overburdened.

6. Accordingly, the application is allowed in terms of prayer clauses (a) and accordingly stands disposed of.

[N.J. JAMADAR, J.]

[RANJIT MORE, J.]