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**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
WRIT PETITION NO. 6373 OF 2019**

Mrs. Shehnaz Acchan Khan & Ors. ...Petitioners

VS.

The State of Maharashtra & Anr. ...Respondents

Ms Shaba P. Khan for the petitioner

Ms Geeta Mulekar, APP for State

Ms Kinjal S. Jani for the respondent No.2

**CORAM : RANJIT MORE &
SURENDRA P. TAVADE, JJ.**

DATE : FEBRUARY 13, 2020.

P. C. :

1 Heard the learned counsel for the petitioners, learned APP for State and learned counsel for respondent No.2. This petition is filed for quashing and setting aside FIR bearing No.556 of 2019 registered by respondent No.2 with Malwani Police Station, Mumbai for the offences punishable under sections 354, 324, 323, 504 read with section 34 of the Indian Penal Code, 1860.

2 Pending investigation, the parties settled the dispute out of Court and approached this Court for quashing the FIR. The original complainant-respondent No.2 has filed affidavit dated 14th December

2019 and in particular in paragraph 3 she has specifically stated that she is making this affidavit voluntarily and without any coercion. In paragraph 4 of the said affidavit she has given no objection for quashing the FIR.

3 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 [2014 AIR SCW 2065]**, we find that no purpose would be served by keeping the criminal proceedings pending except burdening the Criminal Courts which are already overburdened. However, at the same time, costs need to be saddled on the parties for using the police and judicial mechanism for settling their personal disputes.

4 Accordingly, the writ petition is allowed in terms of prayer clause (a) subject to payment of costs of Rs.5000/- by the petitioners to the “Tata Memorial Hospital” an institution that takes care of the advanced and terminally ill cancer patients. The petitioners shall pay the said costs and produce the receipt thereof on the file of this Court within a period of two weeks from today, failing which, the writ petition shall stand dismissed automatically without further reference to the Court.

[SURENDRA P.TAVADE, J.]

[RANJIT MORE, J.]