

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

CRIMINAL APPLICATION NO. 314 OF 2020

Vijay Naranji Thakkar

...Applicant

Versus

The State of Maharashtra and anr.

...Respondents

Mr. Kushal Mor i/by Mr. Amit Kharkhanis for the Applicant.
Mr. Deepak Thakare, PP, a/w Mr. S.R. Shinde, for the
Respondent – State.
Mr. Vivek Yadav for Respondent No. 2.
Ms. Neha Bansal present.
Mr. Vijay Thakkar present.

**CORAM : PRASANNA B. VARALE &
N.R. BORKAR, JJ.**

**DATE : MAY 11, 2021.
(VACATION COURT)**

PER COURT :

1. By the present application under section 482 of Cr.P.C., the applicant has prayed for quashing of First Information Report (for short “FIR”) bearing No. 0244 of 2019 dated 13.10.2019 registered by Mira Road Police Station, Thane for the offence punishable under sections 498-A, 406, 323, 504 and 506 read with 34 of I.P.C.

2. The respondent No.2 has lodged the aforementioned FIR against the present applicant and others. The respondent No.2 has alleged that she was married to the applicant on 29.3.2019. She has alleged cruelty at the hands of the applicant and others so also misappropriation of Stridhan by them.

3. The applicant - Vijay Naranji Thakkar and respondent No.2- Mrs. Neha Thakkar are present before the Court through video conferencing. The respondent No. 2 has filed the consent affidavit dated 7.4.2021, in which, she has stated that they have mutually settled the dispute and have executed consent terms dated 20.2.2021 and submitted the said terms before the Family Court. The respondent No.2 has annexed the consent terms with the affidavit. The respondent No.2 has further stated that she has no objection to quash the FIR in-question against the applicant. The affidavit and the consent terms are taken on record and marked as 'X' collectively for identification.

4. We have perused the FIR in-question. The allegations in the FIR are totally personal in nature. The offences alleged cannot be said to have any impact on the society. Considering the facts and circumstances, in our view nothing fruitful will come out of the prosecution in-question. We are, therefore, of the view that the FIR needs to be quashed against the other accused also. In the result, the following order is passed.

ORDER

A] Application is allowed.

B] First Information Report bearing No. 0244 of 2019 dated 13.10.2019 registered by Mira Road Police Station, Thane for the offence punishable under sections 498-A, 406, 323, 504 and 506 read with 34 of I.P.C. is hereby quashed and set aside. Consequently, Regular Criminal Case No. 683 of 2021 arising out of the said FIR is also quashed and set aside.

(N.R. BORKAR, J.)

(PRASANNA B.VARALE, J.)