

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

CRIMINAL WRIT PETITION NO. 3234 OF 2022

1. Harsimran Kaur Gupta
2. Joginder Kaur Gupta
3. Jasnam Singh Gupta

...Petitioners

Versus

1. The State of Maharashtra
2. Haroon Ali Sadiq Ali

...Respondents

Mr. A. Karim Pathan for the Petitioners

Mr. K. V. Saste, A.P.P for the Respondent No.1–State

Mr. Faziurrahman Shaikh for the Respondent No. 2

**CORAM : REVATI MOHITE DERE &
MADHAV J. JAMDAR, JJ.
WEDNESDAY, 7th SEPTEMBER 2022**

P.C. :

1 Heard learned counsel for the parties.

2 Rule. Rule is made returnable forthwith, with the consent of
the parties and is taken up for final disposal. Learned A.P.P waives service

on behalf of the respondent No.1–State. Mr. Shaikh waives service on behalf of the respondent No.2.

3 By this petition, the petitioners seek quashing of the FIR bearing C.R. No. 434//2021 registered with the Meghwadi Police Station, Mumbai, for the alleged offences punishable under Sections 323, 504, 34 of the Indian Penal Code.

4 Perused the papers. The incident is alleged to have taken place on 14th July 2022 at around 7:00 p.m. Having perused the FIR, it appears that the incident had taken place at the spur of the moment. It appears that pursuant thereto, the parties have amicably resolved their differences and as such, the respondent No. 2 has decided to give his no objection for quashing of the criminal proceedings initiated at his behest i.e. C.R. No. 434/2022 registered with the Meghwadi Police Station, Andheri, Mumbai, for the alleged offences punishable under Sections 324, 504, 34 of the Indian Penal Code. To the aforesaid petition, is annexed affidavit of respondent No. 2 dated 22nd July

2022. In the said affidavit, the respondent No. 2 has stated that the dispute between him and the petitioners is resolved and that he has no grievance or any grudge or ill feelings towards the petitioners and that he has filed the affidavit, without any pressure, force, coercion or undue influence. He has also given his no objection for quashing of the FIR registered at his instance. Respondent No. 2 is present in Court and re-iterates the contents of the affidavit. Learned counsel for the respondent No. 2 has tendered self attested xerox copy of the Aadhar card to prove his identity. The same is taken on record. Learned counsel also identifies the respondent No. 2.

5 The petitioner Nos. 1 and 2 are ladies and petitioner No. 3 is a 16 year old boy-a student. Considering the nature of dispute and the manner in which the incident has taken place and having regard to the judicial pronouncements of the Apex Court in *Gian Singh vs. State of Punjab & Anr.*¹ and *Narinder Singh & Ors. vs. State of Punjab & Anr.*², there is no impediment in allowing the Petition.

1 (2012) 10 SCC 303

2 (2014) 6 SCC 466

6 The Petition is accordingly allowed and the FIR bearing C.R. No. 434/2022 registered with the Meghwadi Police Station, Andheri, Mumbai, is quashed and set-aside.

7 Rule is made absolute in the aforesaid terms. Petition is disposed of accordingly.

8 All concerned to act on the authenticated copy of this order.

MADHAV J. JAMDAR, J.

REVATI MOHITE DERE, J.