

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

CRIMINAL APPLICATION NO. 1262 OF 2022

1. Niraj Lalit Narang	
2. Satbirkaur Narang	... Applicants
Versus	
1. The State of Maharashtra	
2. Akshada Sumesh Narang	... Respondents

Mr. Satyajeet Dighe, for the Applicants.
Mr. Y. M. Nakhwa, APP for the Respondent No.1 – State.
Mr. Abhijeet F. Khade, for the Respondent No.2.

**CORAM : REVATI MOHITE DERE &
ARIF S. DOCTOR, JJ.**

DATE : 5th JANUARY, 2023.

P. C. :

Heard learned Counsel for the parties.

2 Rule. Rule is made returnable forthwith with the consent of the parties and the Application is taken up for final disposal. Learned A.P.P waives notice on behalf of the respondent No.1–State and learned Counsel Mr. Abhijeet Khade waives notice on behalf of the respondent No.2.

3 By this Application, preferred under Section 482 of the Code of Criminal Procedure, 1973, the applicants seek quashing and setting aside of the FIR, bearing C.R.No. I-131 of 2022, registered with the Sarkarwada Police Station, Nashik, for the alleged offences punishable under Sections 354, 324, 504, 506 r/w 34 of the Indian Penal Code. Quashing is sought on the premise, that the parties, who are interse related, have amicably settled their dispute.

4 Perused the papers. According to the respondent No.2 (original complainant), she is the niece of the applicant No.1-Niraj and applicant No.2 is the wife of applicant No.1. It appears that there was a property dispute between the respondent No.2's father and the applicant No.1, who are brothers, with respect to the properties owned by their father, late Lalit Narang. According to the respondent No.2, the incident took place on 08/08/2022. She has stated that the applicant No.1 outraged her modesty and verbally abused her. The applicant No.2 is also alleged to have verbally abused the respondent No.2. Pursuant thereto, the aforesaid FIR was lodged by the respondent No.2 against the applicants alleging the aforesaid offences. We are informed that

charge-sheet has not been filed till date.

5 In the interregnum, during the pendency of the investigation of the aforesaid C.R., the parties i.e. the applicants and the respondent No.2 amicably settled their dispute and entered into a Memorandum Of Understanding ('MOU' for short) dated 18th August, 2022. The said MOU is at Exhibit 'B' at page 13 of the Application. One of the terms and conditions set out in the said MOU is, that the respondent No.2 gives her consent for quashing of the aforesaid FIR, initiated at her behest.

6 Learned Counsel for the respondent No.2 has tendered an affidavit of the respondent No.2 dated 05/11/2022 duly notarized before the Notary. Alongwith the said affidavit, learned Counsel for the respondent No.2 has tendered a photo copy of the Adhar Card of the respondent No.2 duly attested by her. Both are taken on record. In the said affidavit, the respondent No.2 has stated that she has amicably resolved the dispute with the applicants and as such, she does not intend to pursue any legal proceedings against the applicants, who are related to her.

7 The respondent No.2 is present in person. On being questioned, she re-iterates what is stated by her in her affidavit. The respondent No.2 has been identified by her Counsel and the learned APP has verified the original Adhar Card of the respondent No.2.

8 Considering the nature of dispute, the relation between the parties, the amicable settlement between them, the affidavit of the respondent No.2 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 Application.

9 Accordingly, the Application is allowed and the FIR bearing C.R.No. I-131 of 2022, registered with the Sarkarwada Police Station, Nashik, as against the applicants, is quashed and set aside.

10 Rule is made absolute in the aforesaid terms. Application is disposed of accordingly.

¹ (2012) 10 SCC 303

² (2014) 6 SCC 466

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

ARIF S. DOCTOR, J.

REVATI MOHITE DERE, J.