

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
WRIT PETITION NO. 3617 OF 2019**

1. Seema Ranjit Satpute Nee
Seema Karbhari Ambhore
2. Reema Karbhari Ambhore
3. Nikita Kamlesh Ambhore
4. Chaya Karbhari Ambhore
5. Anil Karbhari Ambhore
6. Sumit Kamlesh Ambhore

... Petitioners

Versus

1. The State of Maharashtra
2. Bindu Shashi Chouhan

... Respondents

.....

Mr. Prakash Wagh for the Petitioner.
Ms. M. M. Deshmukh, APP for the State.
Ms. Nazra S. A. Shaikh for Respondent No. 2.

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**CORAM : SMT. ANUJA PRABHUDESSAI &
N.R. BORKAR, JJ.
DATED : 23 JANUARY 2024**

P.C. :-

At the outset, learned counsel for the petitioners seeks leave to amend the prayer clause to incorporate number of the criminal case. Leave granted. Amendment to be carried out forthwith.

2. The petitioners seek to quash Crime No. 148 of 2019 registered with Chembur Police Station for offences under

Sections 141, 143, 147, 354, 452, 337, 323, 504, 506 of the Indian Penal Code and Criminal Case No. 1102303/PW/2023 arising therefrom, pending on the file of 11th Metropolitan Magistrate Court Kurla, Mumbai and C. C. No. 616/JW/2023 pending on the file of Juvenile Court, Dongri, Mumbai.

3. The aforesaid crime was registered pursuant to the First Information Report lodged by respondent No. 2. The facts narrated in the FIR indicate that the petitioners herein had formed unlawful assembly, criminally trespassed into the house of respondent No. 2 and abused and assaulted her.

4. Learned counsel for the petitioner and respondent No. 2 state that the parties have settled the dispute amicably. They have placed on record an affidavit filed by respondent No. 2 giving her no objection to quash the proceedings. Written apology is also tendered by the petitioners.

5. Petitioners as well as respondent No. 2 are present

before the Court. They are identified by the respective counsel. They state that the matter has been amicably settled. The respondent No. 2 reiterates that she does not want to proceed against the petitioners in view of unconditional apology tendered by them.

6. The settlement is voluntary and genuine. Considering the nature of dispute and the fact that the parties have arrived at an amicable settlement, in our considered view, continuance of criminal proceedings would be an abuse of process of Court. Hence, the Petition is allowed.

7. Crime No. 148 of 2019 registered with Chembur Police Station for offences under Sections 141, 143, 147, 354, 452, 337, 323, 504, 506 of the Indian Penal Code and Criminal Case No. 1102303/PW/2023 arising therefrom, pending on the file of 11th Metropolitan Magistrate Court Kurla, Mumbai and C. C. No. 616/JW/2023 pending on the file of Juvenile Court, Dongri, Mumbai is hereby quashed.

(N.R. BORKAR, J.) (SMT. ANUJA PRABHUDESSAI, J.)