

IN THE SUPREME COURT OF INDIA
CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPEAL NO(S).1073 OF 2019
[Arising from SLP (CrI.) No(s). 959/2019]

NAZIMA & ORS.

APPELLANT(S)

VERSUS

THE STATE OF MAHARASHTRA & ANR.

RESPONDENT(S)

O R D E R

1. Leave granted.
2. This appeal takes exception to the judgment and order dated 10th January, 2019 in Criminal Application (APL) No.1207/2018 passed by the High Court of judicature at Bombay, Nagpur Bench, whereby the quashing petition filed by the appellants came to be dismissed.
3. It is not in dispute that the injured persons have filed affidavit before this Court and are also represented through counsel.
4. On the previous occasion, the Investigating Officer was called upon to verify the authenticity of the factual position mentioned in the stated affidavit(s).

5. Learned counsel for the State submits that upon enquiry made by the Investigating Officer, it is found that the injured persons genuinely want to settle the matter as the fight had taken place between the relatives on the spur of the moment.

6. Considering the fact that the injured persons are not interested in pursuing the matter any further and the relations between the parties have become normal and taking overall view of the matter including the circumstances in which the incident occurred, in the interests of justice this appeal must succeed.

7. Accordingly, the impugned order is set aside. The petition seeking quashing of subject F.I.R., filed under Section 482 of the Cr.P.C. is allowed.

....., J.
(A.M. KHANWILKAR)

....., J.
(DINESH MAHESHWARI)

NEW DELHI
JULY 19, 2019.

ITEM NO.35

COURT NO.9

SECTION II-A

S U P R E M E C O U R T O F I N D I A
RECORD OF PROCEEDINGS

Petition(s) for Special Leave to Appeal (CrI.) No(s). 959/2019

(Arising out of impugned final judgment and order dated 10-01-2019 in CRLA No. 1207/2018 passed by the High Court Of Judicature At Bombay At Nagpur)

NAZIMA & ORS.

Petitioner(s)

VERSUS

THE STATE OF MAHARASHTRA & ANR.

Respondent(s)

IA No. 16172/2019 - EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT, IA No. 16173/2019 - EXEMPTION FROM FILING O.T. & IA No. 16175/2019 - PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/ANNEXURES)

Date : 19-07-2019 This matter was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE A.M. KHANWILKAR
HON'BLE MR. JUSTICE DINESH MAHESHWARI

For Petitioner(s) Mr. Aaditya A. Pande, Adv.
Mr. Chander Shekhar Ashri, AOR

For Respondent(s) Mr. Nishant Ramakantrao Katneshwarkar, AOR
Mr. Anand Landge, Adv.
Mr. Jay Kishor Singh, AOR

UPON hearing the counsel the Court made the following
O R D E R

Leave granted.

The appeal is allowed in terms of the signed order.

In view of the above, pending application(s) shall stand disposed of.

(NEETU KHAJURIA)
COURT MASTER

(VIDYA NEGI)
COURT MASTER

(Signed order is placed on the file.)