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**IN THE HIGH COURT OF JUDICATURE AT BOMBAY.  
CRIMINAL APPELLATE JURISDICTION  
CRIMINAL WRIT PETITION NO. 1037 OF 2010**

Carestream Health India Pvt. Ltd. and Ors. ... Petitioners

Versus

State of Maharashtra and Ors. ... Respondents

Mr. Sujay Kantawalla with Mr. Brijesh Pathak for the petitioners.

Smt. P.P. Bhosale, A.P.P. for State.

Mr. N.R. Bubna for respondent nos. 2 and 3.

**CORAM : M.L. TAHALIYANI, J.  
DATED : MARCH 26, 2015**

**P.C.**

This petition has been filed by the accused in Criminal Case No.1724 of 2010. They are facing trial for the offences punishable under section 398, 399 and 401 of the Bombay Provincial Municipal Corporation Act, 1949 ( for short "the said Act"). The allegations against the petitioners in the said complaint are that they evaded the octroi duty to the extent of Rs.22,050/- and have committed the above-said offence.

2. Learned counsel for the petitioner has submitted that the dispute has been resolved amicably outside the court and that the petitioners have paid Rs.1,10,250/- by way of full and final settlement of the claim to

respondent no. 2 i.e. Mira Bhayander Mahanagar Palika. The learned counsel for respondent no.2 has also submitted that the dispute has been resolved outside the Court and the amount has been received by the Corporation. The approval will be required from the General Body of the Corporation. However, as far as present prosecution is concerned, it can be quashed without waiting for the outcome of the General Body meeting. Learned counsel for respondent no.2 has no objection for quashing the complaint.

3. The complaint pending in the court of Judicial Magistrate, First Class, Thane in Criminal Case No. 1724 of 2010 against the petitioners shall stand quashed. The bail bonds, if any of the accused shall stand cancelled.

**(JUDGE)**