

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

CRI. WRIT PETITION NO. 2856 OF 2015

M/s. Ganesh Benzoplast Ltd., & Ors. ... Petitioners.

V/s.

M/s. Kundan Rice Mills Ltd., & Anr. ... Respondents.

WITH

CRI. WRIT PETITION NO. 2855 OF 2015

Mr. Kolangaradath Nalinakshan & Ors. ... Petitioners.

V/s.

M/s. Kundan Rice Mills Ltd., & Anr. ... Respondents.

Mrs. Racheeta Dhuru i/by Legal Bond for the Petitioners in both petitions.

Mr. Hemant Prabhulkar, Advocate for Respondent No.1.

CORAM : A. V. NIRGUDE, J.

DATED : 17th NOVEMBER, 2015

P.C. :

1 Both these writ petitions can be disposed of at this stage by this common order.

2 These writ petitions are filed, challenging the order of issuance of process in a criminal case for prosecuting the petitioners under section 138 of the Negotiable Instruments

Act,1881. The parties have now settled the dispute. They have also entered into a consent terms and have filed the same. The consent terms are taken on record and marked as Exh. “A-1” for identification.

3 The petitioners accused have handed over the demand drafts of the amount which was the subject matter of the complaint. Shri Yashwant Korde, the representative of the respondent-complainant is present in the court and he is identified by the learned counsel appearing for him. Since the amount is directly paid to the complainant, the complainant do not want to continue with the complaint.

4 In the result, both the writ petitions are allowed and disposed of accordingly.

5 The order of issuance of process against the petitioners in both the petitions is quashed and the complaints filed by the respondent-complainant stands disposed of.

(A.V.NIRGUDE,J.)

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