

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
CRIMINAL APPLICATION NO. 1031 OF 2014

Dilip Naraindas Kamwani	...	Applicant
vs.		
The State of Maharashtra & Anr.	...	Respondents

Mr. Dilip Kamwani applicant in person
Mr. Jaydeep Jaywant for respondent No.2.
Ms. A.A.Mane, APP, for the State.

CORAM: SMT.SADHANA S.JADHAV,J.
DATE : 5th October, 2015.

P.C.

Heard the applicant in person and the learned counsel for respondent No.2 – original complainant.

2. Upon perusal of the complaint, it prima facie appears that the exact words stated in the e-mails which, according to the complainant, are defamatory in nature, were not stated in the complaint itself. After this issue was brought to the notice of the learned counsel for the complainant, the learned counsel has very fairly submitted that the complainant would withdraw the complaint on the basis of which process was issued against

the applicant under Section 500 of Indian Penal Code in C.C. No.208/2012.

3. Taking into consideration the relations between the complainant and the accused i.e. the present applicant, in all fairness, the complainant i.e. the respondent is granted liberty to withdraw the complaint pending before the Judicial Magistrate, First Class, Vashi, CBD Belapur at Vashi. The proceedings stand quashed. The complainant shall file an application before the concerned Magistrate along with this order and request the Magistrate also to permit him to withdraw the complaint. In view of this, the application is allowed. The proceedings initiated against the applicant for the offence punishable under Section 500 of IPC are hereby quashed and set aside. The applicant is discharged in C.C. No.208/2012 pending before J.M.F.C., Vashi. Application stands disposed of.

(SMT.SADHANA S.JADHAV, J.)

CERTIFICATE

Certified to be true and correct copy of the original signed order.