

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

CRIMINAL APPLICATION NO. 291 OF 2005

UDAY VASANT KANITKAR
VERSUS
STATE OF MAHARASHTRA AND OTHERS

...

Advocate for Applicant : Mr. Prashant Deshmukh h/f Mr. S S Nirkhee

APP for Respondent No.1: Mr. S.P. Tiwari

Advocate for Respondents 2 to 4 : Mr. R.D. Bhalerao

.....

CORAM : V. K. JADHAV, J.
DATED : 24th NOVEMBER, 2016

PER COURT:-

1. Learned counsel for the respondents-accused has pointed out that for the same cause of action, the applicant complainant has filed another complaint bearing R.C.C. No. 126 of 2005 and on 11.12.2013 the applicant complainant has filed pursis in R.C.C. No. 126 of 2005, pending before J.M.F.C. Akole, contending therein that the applicant-original complainant has received entire amount out of court and therefore, it was agreed between him and the accused persons that the applicant complainant would not proceed with the said complaint and also other complaints, pending before the Court. Learned counsel for the respondents has also placed on record the certified copy of pursis and the order passed thereon by learned J.M.F.C. Akole, on 11.12.2013.

2. In view of above, the cause for filing present criminal application has been rendered infructuous. Criminal application is accordingly disposed of as infructuous. Rule discharged.

(V. K. JADHAV, J.)

rlj/