

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
CRIMINAL APPLICATION NO. 127 OF 2015
(For Condonation of Delay)
WITH
CRIMINAL APPLICATION NO. OF 2015
(For leave to file appeal)

Paresh C. Parekh ...Applicant
Versus
State of Maharashtra & Anr. ...Respondents

Mr. Vijay Prakash Yadav for the Applicant

Ms. P. P. Shinde, A.P.P for the Respondent No.1-State

Respondent No. 2 is present in-person

CORAM : REVATI MOHITE DERE, J.
MONDAY, 8th AUGUST, 2016

ORDER ON APPLN. NO. 127 OF 2015 (Delay Condonation):

1. By this application, the applicant seeks condonation of delay of 3 days in filing the aforesaid application seeking leave to file appeal.
2. The respondent No. 2, who is present in-person states that he has no objection if the delay is condoned and if the application is allowed, as the parties have amicably settled the dispute.

3. For the reasons set out in the application, application is allowed. Delay is condoned.

4. Application is disposed of accordingly.

ORDER ON APPLN. FOR LEAVE TO FILE APPEAL :

1. Learned Counsel for the applicant and the respondent No. 2, who is present in-person, state that the parties have amicably settled their dispute. The Minutes of the Order/Consent Terms dated 8th August, 2016, duly signed by the parties and the Advocate for the applicant are tendered. The said consent terms are taken on record and marked 'X' for identification. Identity proof tendered by the respective parties i.e. self attested copies of Aadhar Card and Pan-card are also taken on record.

2. In view of the Minutes of Order/Consent Terms, the Respondent No. 2 has handed over to the applicant a post-dated cheque dated 30th November, 2016), drawn in his favour. The respondent No. 2 undertakes to honour the said cheque. Learned Counsel for the applicant

states that in view of the said post-dated cheque received from the respondent No. 2, the applicant does not wish to proceed with the aforesaid application.

3. The application is disposed of in view of the Minutes of Order/Consent Terms.

4. The application for leave to file appeal to be placed on board on 5th December, 2016 for recording compliance.

5. All concerned to act on the authenticated copy of this order.

REVATI MOHITE DERE, J.