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

**CRIMINAL REVISION APPLICATION NO.165 OF 2016  
WITH  
CRIMINAL APPLICATION NO.220 OF 2016  
WITH  
CRIMINAL APPLICATION NO.221 OF 2016**

Guruprasad Shrinivas Bhatt

... Applicant

Versus

Rohit Dubey and Anr.

...Respondents

Ms.Sudha Dwivedi, for the Applicant.

Mr.A.A.Palkar, APP for the Respondent No.2-State.

***CORAM : REVATI MOHITE DERE, J.***

***DATE : 22<sup>nd</sup> DECEMBER, 2016***

**P.C. :**

Not on board. Taken on board.

1. Learned Counsel for the applicant states that the applicant and the respondent No.1 (original complainant) have arrived at a settlement and have tendered the Consent Terms dated 18<sup>th</sup> July, 2016 entered into between them on the last date.

2. Learned Counsel for the applicant states that the applicant and respondent no.1 have settled their dispute for a total sum of Rs.4,00,000/-.

She states that the applicant has paid the entire amount of Rs.4,00,000/- to the respondent no.1. Respondent No.1 who is present in Court confirms the same.

3. Learned APP has verified the identity of respondent No.1, who is present in Court. He has tendered a xerox copy of his driving licence, in support of the same. The same is taken on record.

4. Learned counsel for the Applicant states that the Applicant be permitted to withdraw the amount of Rs.1,00,000/- (Rs.90,000/- and Rs.10,000/-) deposited by the Applicant in the trial Court.

5. Respondent No.1 states that he has received the entire amount and as such, he has no grievance, if the Applicant withdraws the said amount.

6. Accordingly, the Applicant is permitted to withdraw the amount of Rs.1,00,000/- deposited by him in the trial Court, along with interest accrued thereon, if any.

7. The respondent No.1 has also given his no objection, to the quashing and setting aside of the impugned judgment and order dated 14<sup>th</sup> July, 2010, passed by the learned Metropolitan Magistrate, 33<sup>rd</sup> Court, Ballard Pier, Mumbai, in Case No.480/SS/2007 and judgment and order dated 15<sup>th</sup> October, 2015, confirmed by the learned Additional Sessions Judge, Greater Bombay, in Criminal Appeal No.367 of 2010.

8. In view of the consent terms, the impugned judgment and order dated 14<sup>th</sup> July, 2010, passed by the learned Metropolitan Magistrate, 33<sup>rd</sup> Court, Ballard Pier, Mumbai, in Case No.480/SS/2007 and confirmed by by the learned Additional Sessions Judge, Greater Bombay, in Criminal Appeal No.367 of 2010, vide judgment and order dated 15<sup>th</sup> October, 2015 in Criminal Appeal No.367 of 2010, are quashed and set-aside and the applicant is acquitted of the offence with which he is charged.

9. Accordingly, the Revision Application is disposed of on the aforesaid terms.

10. In view of the aforesaid, nothing survives for consideration in Criminal Application Nos.220 and 221 of 2016, the same stand disposed of.
11. All concerned to act on the authenticated copy of this order.

**REVATI MOHITE DERE, J.**