

Anand

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

CRIMINAL REVISION APPLICATION NO.362 OF 2016

Mahesh Ramkrishnrao Deshmukh .Applicant

Vs.

Sarjerao Pandurang Kaingde & anr. .Respondents

Mr.Kedar Lad, Advocate, for the Applicant
Mr.A.M.Adgule, Advocate, for the Respondent No.1
Mrs.P.P.Shinde, APP, for the Respondent No.2 –
State

CORAM : REVATI MOHITE DERE, J.

DATE : 24.06.2016

P.C.

. Learned counsel for the Applicant and the learned counsel for the Respondent No.1 state that parties have amicably settled their dispute. They have tendered the Consent Terms entered into by and between the Applicant and Respondent. The same are taken on record and marked as "X" for identification. Both, the Applicant and the Respondent No.1 are present in Court and have identified their signatures as it appears in the Consent Terms and have also been

identified by their respective counsels.

2. As per the Consent Terms, the Applicant and the Respondent No.1 have amicably settled their dispute. The Applicant has agreed to pay the Respondent No.1 a sum of Rs.1,00,000/- as and by way of full and final settlement and the Respondent No.1 is ready to accept the said amount. The Applicant has in his Consent Terms stated that he has no objection, if the Respondent No.1 withdraws the entire amount of Rs.1,00,000/- which is deposited in four instalments of Rs.25,000/- each, in the Sessions Court. The receipts are annexed to the said Consent Terms. In view of the no objection given by the Applicant to the Respondent No.1 to withdraw the entire amount of Rs.1,00,000/- deposited in the Appellate Court alongwith interest accrued thereon, the Respondent No.1 has also given his no objection, if the impugned Judgment and Order of the trial Court as well as

the Appellate Court are quashed & set aside and if the Applicant is acquitted.

3. The impugned Judgment and Order dated 09.03.2010 passed by the learned JMFC, Panhala, District-Kolhapur in SCC No.118 of 2006 and the impugned Judgment and Order dated 28.09.2015 passed by the learned Additional Sessions Judge, Kolhapur in Cri.Appeal No.66 of 2010 are quashed & set aside and the Applicant is acquitted of the offence with which he is charged.

4. Accordingly, the Application is allowed on the aforesaid terms and is disposed of.

Parties to act on the authenticated copy of this order.

(REVATI MOHITE DERE, J.)