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

**CRIMINAL APPLICATION NO.335 OF 2016
IN
CRIMINAL REVISION APPLICATION NO.501 OF 2015
WITH
CRIMINAL APPLICATION NO.336 OF 2016
IN
CRIMINAL REVISION APPLICATION NO.491 OF 2015

CRIMINAL APPLICATION NO.337 OF 2016
IN
CRIMINAL REVISION APPLICATION NO.489 OF 2015**

Moti P. Tolani

...Applicant

IN THE MATTER BETWEEN

Israr Ahmed

...Petitioner

Versus

Moti P. Tolani and Anr.

...Respondents

Mr.D.S. Joshi, for the Applicant in APPR Nos.335 to 337 of 2016.

Mr.Anil Tiwari, i/b Mr.H.Y.Naqvi, for the Petitioner (Original Accused).

Mr.A.R.Kapadnis, A.P.P for the Respondent-State

CORAM : REVATI MOHITE DERE, J.

DATE : 14th DECEMBER, 2016

P.C. :

1. By these applications, the applicant - Moti P. Tolani (original complainant) has prayed for revival and restoration of Criminal Revision Applications Nos.501 of 2015, 491 of 2015 and 489 of 2015, to its original file

and that the same be heard as expeditiously as possible on its own merits, and for other reliefs.

2. Learned Counsel for the applicant (original complainant) states that the Revision Petitioner (original accused no.1) - Israr Ahmed i.e. petitioner in the aforesaid application, has breached the Consent Terms dated 20th November, 2015, entered into between them in the Revision Application Nos.489 of 2015, 491 of 2015 and 501 of 2015. He submits that Revision Petitioner, had complied with clauses – 8 (a) to (d) of the consent terms, but however, has breached clauses – 8(e) and 8 (f) of the said consent terms. He states that the said amounts were received by him much later than the dates mentioned in the said consent terms. He submits that he has not deposited the said Demand Drafts/cheques received by him.

3. Learned Counsel for the Revision Petitioner has already paid the sums mentioned in clauses – 8(e) and (f), although late. The learned Counsel for the Revision Petitioner is ready to pay an additional amount of Rs.10,000/- for the delayed payment to the applicant (original complainant). He has tendered a demand draft for the said amount of Rs. 10,000/- to the learned Counsel for the applicant.

4. The applicant (original complainant) is present in Court and accepts the said payment of Rs.10,000/- paid by the Revision Petitioner for the delayed payment. He states that he has now no grievance as against the Revision Petitioner - Israr Ahmed.

5. In view of the aforesaid, learned counsel for the applicant (original complainant), on instructions of the applicant, who is present in Court, seeks leave to withdraw the aforesaid applications.

6. The applications are accordingly disposed of as withdrawn. In view of the aforesaid, the Consent Terms stand unaltered.

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

REVATI MOHITE DERE, J.