

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO.958 OF 2016

Mrs.Surekha Rajendra Suryavanshi	...	...Applicant
v/s.		
Ujjivan Financial Services Ltd. And anr.		...Respondents
...		
Mr.Bhavesb Thakur i/b Mr.Rahul Arote for the Applicant.		
Mr.K.V.Saste, APP for the Respondent No.2.		
Mr.Mohsin Pathan for the Respondent No.1.		

...
CORAM : A.S.OKA &
A.A. SAYED, JJ.
DATED : 25 AUGUST 2016

P.C.:

(Not on Board. Taken on Board.)

Heard the learned Counsel for the Applicant, the learned APP for the second Respondent and the learned Counsel for the first Respondent.

2. Rule. Respondents waive service. Forthwith taken up for final disposal.

3. The prayer in this Application is for quashing the First Information Report filed at the instance of the first Respondent for the offences punishable under section 419, 420, 406 read with section 34 of the Indian Penal Code.

4. The first Respondent is a company, in which the Applicant was employed. The First Information Report was filed by the Area Manager of the said company on behalf of the company. The allegation is that an amount of Rs.4,62,390/- was misappropriated by the Applicant.

5. All offences alleged are compoundable. The Area Manager of the First Respondent, who is personally present and who had lodged First Information Report on behalf of the first Respondent has filed an Affidavit in which he has stated that a sum of Rs.3,07,620/- has been received from the Applicant by the first Respondent in full and final settlement.

6. In view of this stand taken in the Affidavit, this is a fit case to exercise powers under section 482 of the Code of Criminal Procedure, 1973. Accordingly, we pass the following order:

ORDER

Rule is made absolute in terms of prayer clause (b), which reads thus:

“(b) This Hon'ble Court be pleased to quash and set aside First Information Report bearing C.R.No.I-230 of 2015 of Kalwa Police Station.”

(A.A. SAYED, J.)

(A.S.OKA, J.)