

Sequeira

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

CRIMINAL APPEAL NO. 780 OF 1998

The Karad Urban Co-operative Bank Ltd.
Karad, Guruwar Peth, Karad,
Dist. Satara.

.. Appellant

Vs

1. Ajitkumar Popatlal Shah
Age 41 yrs. Occu.: Trader,
R/o Satyamev Housing Society,
Market yard, Karad.
2. Vasant Kondopant Walimbe
Age 63 years, Occu. Nil,
R/o Shaniwar Peth, Karad,
3. Suresh Purshottam Khatavkar
Age 55 years, Occu. Nil,
R/o. 13, Shukrawar Peth, Karad,
4. State of Maharashtra

.. Respondents

Mr.Akshay Kapodia i/b J.Shekhar & Co., for the Appellant.

Mr.Satyajeet Shirke i/b Mr.Uday Warunjikar, for Respondent No.1.

Coram : N.M.Jamdar, J.

Date : 19 June 2017.

Oral order :

Present Appeal is filed challenging the order passed by the

Additional Sessions Judge, Satara dated 1 August 1998 in Criminal Appeal No.43 of 1993 acquitting the Respondents. Prosecution was launched at the behest of the Appellant-Bank for the offences punishable under section 419, 420 read with section 102-A, 109 and 34 of Indian Penal Code.

2. According to the Appellant-Bank, the Respondents. had defrauded the bank in respect of certain monetary transactions. The learned Trial Court found that the Respondents could not be held guilty for the offences charged and the Respondents were acquitted.

3. The Appeal filed by the bank has been adjourned from time to time. On 8 May 2017, it was adjourned, recording that the matter is settled between the parties. The learned counsel for the Appellant states that he has received a written communication from the Appellant-Bank that the parties have settled the dispute and charges created on the Respondents property have been released, and the Appellant is not desirous of prosecuting the Appeal.

4. Considering the nature of the proceedings and the stand taken by the Appellant-Bank and that twenty years have lapsed since the Appeal has been admitted, no fruitful purpose will be served in continuing with the Appeal. Appeal is accordingly dismissed.

(N.M.Jamdar, J.)