

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
CRIMINAL WRIT PETITION NO. 1028 OF 2003

Mehervan Rustom Irani	...	Petitioner
Vs.		
Dr. Keki Hormusji Gharda & Anr.	...	Respondents

ALONG WITH
CRIMINAL APPLICATION NO. 886 OF 2005

Dr. Bomi Pilloo Patel &Ors.	..	Applicants
vs.		
Mr. Meherwan Rustom Irani & Anr.	..	Respondents

Mr. Subodh Desai a/w Mr. S.A.K. Najan-es-Sani i/b. Maneksha and Sethna for respondent Nos. 1 & 2 in WP/1028/2003 and for applicants Nos. 1 & 3 in Cri.Appln/886/2005.

Petitioner in person present.

Mr.S.R.Agarkar,APP, for the State.

CORAM: SMT.SADHANA S.JADHAV, J.
DATE : 27th April, 2017.

P.C.

The respondent herein has filed an affidavit in the present Writ Petition making it clear that the alleged disputed statement was not made with the intention to harm, or knowing, or believing that the said statement would defame Mehervan Rustom Irani and/or damage his reputation or cause hurt to his feelings. The affidavit is taken on record and marked “X” for the purpose of identification.

2. The respondent appearing in person has gone through the contents of the affidavit and has demonstrated that he is satisfied with the content of the affidavit. The respondent also states that he has no ill-feeling towards the petitioner, but on the spur of the moment, the allegations levelled against him appear to defame him. As on today, he has decided to forget the said incident.

3. In view of this, the order dated 29.07.2000 passed by the Metropolitan Magistrate, 32nd Court, Bandra, Mumbai, which was confirmed in Revision Application No.691 of 2000 by order dated 25.10.2002 is hereby confirmed. Petition is disposed of. Rule is discharged.

4. The applicant No.2 – Mr. Hoshang C. Patel (in Criminal Application No.886 of 2005) has expired. Hence, the Application stands abated as far as the applicant No.2 is concerned. Since the Writ Petition No.1028 of 2003 is disposed of, Criminal Application No.886 of 2005 also stands disposed of.

(SMT. SADHANA S.JADHAV, J.)