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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELATE JURISDICTION
CRIMINAL APPLICATION NO.126 OF 2017

Shravandas Sukhram Kabir ... Applicant
vs.
The State of Maharashtra & Anr. ... Respondents

Ms Sonal Parab i/b Rajeev Sawant and Associates for
the Applicant
Mr.K.V.Saste, APP for respondent No.1
Mr.Sushil Upadhyay i/b Mr.A.M.Saraogi for the
respondent No.2

CORAM : A.S.OKA, &
SMT.ANUJA PRABHUDESSAI, JJ.
DATE : SEPTEMBER 15, 2017

P.C.:

1 This criminal application along with criminal Writ Petition Nos.1186 of 2016,1190 of 2016, 3747 of 2014 and two other criminal applications were heard by this Court on 15th March 2017. C.R.No.47 of 2012 of Charkop Police Station which is the subject matter of challenge in this application is referred in first paragraph of the Judgment and order dated 15th March 2017 in Criminal Writ Petition Nos.1186 of 2016, 1190 of 2016 and 3747 of 2014 as well as Criminal Application Nos.45 and 47 of 2017. In paragraph 4 of the said Judgment, there is a finding recorded that there is a complete settlement of the dispute between the parties to the petitions in connection with all the offences including C.R.No.47 of 2012. Though the present criminal Application is shown in the title of the said Judgment, the

operative part does not refer to it. In fact, all the first informants in case of all the First Information Reports have paid donation of Rs.25,000/- each to the Tata Memorial Hospital. Hence, in the light of the aforesaid Judgment and Order dated 15th March 2017 and the findings recorded therein, this application deserves to be allowed.

2 Accordingly, we pass the following order:

(I) Rule is made absolute in terms of prayer clause (a) which reads thus:

"(a) That this Hon'ble Court may be pleased to quash and set aside the proceedings pending on the file of Ld. Metropolitan Magistrate 24th Court, at Borivali, Mumbai in C.C.No. 413/PW/2012 arising out of C.R.No.47 of 2012 registered with Charkop Police Station against the present Applicant filed at the instance of Respondent No.2 on any such terms and conditions as this Hon'ble Court may deem fit to grant in the circumstances of the case."

(II) All concerned to act upon an authenticated copy of this order.

(ANUJA PRABHUDESSAI, J.)

(A.S.OKA, J.)