

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

CRIMINAL APPLICATION NO.282 OF 2015

Mr. Jayanti Ananda Shewale ...Applicant

Versus

The State of Maharashtra & Anr. ...Respondents

.....

None for the Applicant.

Mrs. S.V. Sonawane, APP for the Respondent No.1-State.

**CORAM : A.S. OKA &
SMT. ANUJA PRABHUDESSAI, JJ.**

DATED: 20th FEBRUARY, 2017.

P.C.:-

Though this application, which is shown under the caption of settlement is called out on two occasions, none appears for the Applicant. The prayer for quashing is sought on the ground of amicable settlement. Charge sheet is already filed against the Applicant for offences punishable under sections 409, 420, 465, 467, 468, 471 and 120 B read with 34 of the Indian Penal Code. The allegation in the First Information Report was as regards the misappropriation of funds of a public trust to the extent of Rs.1,38,13,920/-. The ex-Committee members, who were Chairman, Treasurer (present Applicant) and Secretary alongwith others have

been shown as the accused. The charge sheet alleges that the present Applicant alongwith two others have misappropriated the sum of Rs.41,95,368/- by forging vouchers of Rs.60,000/- in conspiracy with the organizers of an entertainment show.

2. The prayer for quashing is made on the basis of settlement.
3. The allegation is about misappropriation of the funds of a Trust. Therefore, prayer for quashing the charge sheet cannot be considered on the basis of so called settlement. Accordingly, the Application is rejected. We, however, make it clear that we have not made any adjudication on merits of the controversy.

(ANUJA PRABHUDESSAI, J.)

(A.S. OKA, J.)