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

***CRIMINAL REVISION APPLICATION NO.444 OF 2017
WITH
CRIMINAL APPLICATION NO.419 OF 2017***

Shantaram D. Choudhary	...Applicant
Versus	
The State of Maharashtra and Anr.	...Respondents

Mr.Suresh Dubey, for the Applicant.

Ms.Veera Shinde, A.P.P for the Respondent No.1-State.

Mr.Hrishikesh Giri, for the Respondent No.2/Original Complainant.

CORAM : REVATI MOHITE DERE, J.

DATE : 11th SEPTEMBER, 2017

P.C. :

Not on board. Taken on board.

1. Learned Counsel for the applicant and the respondent no.2 (original complainant) state that the parties have arrived at a settlement and tender the Consent Terms dated 11th September, 2017, duly signed by the parties. The same are taken on record and marked 'X' for identification. Both the applicant and the respondent no.2 (original

complainant) are present in Court.

2. It is stated in the Consent Terms, that the applicant has already paid Rs.2,30,000/- to the respondent no.2 (original complainant) and that respondent no.2 (original complainant) would be entitled to withdraw the amount of Rs.20,000/- deposited by the applicant in the Sessions Court with interest, if any. The respondent no.2 (original complainant) has also given no objection, to the quashing and setting aside of the order of conviction and sentence imposed by both the Courts i.e. learned Judicial Magistrate, Pune and the learned Sessions Court, Pune.

3. In view of the Consent Terms, the Revision Application is allowed and the impugned judgment and order of conviction and sentence dated 24th February, 2015, passed by the learned 14th Judicial Magistrate First Class, Pune, and confirmed by the learned Sessions Court, vide judgment and order dated 7th July, 2017, are quashed and set-aside and the applicant is acquitted of the offence with which he is charged.

4. Application is accordingly disposed of on the aforesaid terms.

5. In terms of clause – 2 of the Consent Terms, the Respondent No.2 is permitted to withdraw Rs.20,000/-, deposited by the applicant in the Sessions Court, along with the interest accrued thereon, if any, on the said amount. Parties to comply with their respective undertakings given by them in the consent terms.

6. In view of the disposal of the Revision Application, Criminal Application No.419 of 2017 does not survive and the same is also disposed of.

7. All concerned to act on the authenticated copy of this order.

(REVATI MOHITE DERE, J.)