

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

WRIT PETITION NO.3577 OF 2017

Mohd. Rizwan Mohd. Iliyas Shaikh & ors. : Petitioners.
Versus
State of Maharashtra and anr. : Respondents.

Mr. Harideep Singh for the Petitioners.
Mrs. S D Shinde, APP for the Respondent/State.
Mr. N J Yadav for the Respondent.

**CORAM : R. M. SAVANT &
SANDEEP K. SHINDE, JJ.**
DATE : 13th September 2017

P.C.

1 Mentioned for being taken out of turn in view of the fact that the quashing is sought by consent.

2 By the above Writ Petition the Petitioners seek quashing of the entire proceeding of CC No.1824/PW/2010 pending before the Railway Mobile Court, Metropolitan Magistrate Court, Andheri, Mumbai. The writ paper book discloses that the evidence in the said case has been recorded since 2016. Hence it is not possible to accede to the request made by the learned counsel for the Petitioners to grant relief by way of prayer clause (a) on account of the settlement arrived at between the parties. However, it would be open for the Petitioners to file an appropriate application before the Trial Court. If any such application is filed, needless to state that the same would be tried on its own

merits and in accordance with law uninfluenced by the instant order. The above Writ Petition is accordingly disposed of.

[SANDEEP K. SHINDE, J]

[R.M.SAVANT, J]