

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

**CRIMINAL APPLICATION NO. 996 OF 2017
IN
CRIMINAL APPLICATION NO. 60 OF 2016**

Adam Baba Nawab Qureshi	...	Applicant
V/s.		
The State of Maharashtra	...	Respondent

Mr.S.R. Gaud for the Applicant.
Mr.F.R. Shaikh, A.P.P. for the Respondent-State.

**CORAM : RANJIT MORE &
DR.SHALINI PHANSALKAR-JOSHI, JJ.**

DATE : 2nd NOVEMBER, 2017.

P.C. :

1] Heard Mr.Gaud, learned counsel for the Applicant and
Mr.Shaikh, learned A.P.P. for the State.

2] The Applicant had filed Criminal Application No.60 of
2016 for quashing the proceedings bearing C.C. No.1964/PW/2015
arising out of C.R. No.174 of 2015, pending on the file of learned Chief
Metropolitan Magistrate at Girgaum, Mumbai. By consent of the
complainant, this application was disposed of by the order dated 20th
January, 2016 and the proceedings and FIR was quashed and set-

aside subject to payment of costs of Rs.10,000/- to be paid by the Applicant to “Shanti Avedna Sadan” within four weeks and produce the receipt thereof on the file of this Court, failing which, the Criminal Application stand dismissed without further reference to the Court.

3] The Applicant deposited amount of the costs of Rs.10,000/- with the “Shanti Avedna Sadan” on 16/02/2016 and obtained the receipt. The copy of the receipt is annexed at Exhibit “B” at page 11 of the compilation. However, the Applicant has failed to produce the said receipt in the record of the Criminal Application No.60 of 2016. In that view of the matter, Registry did not sent the writ of the order dated 20th January, 2016 to the Chief Metropolitan Magistrate. As a result of which subject case remains pending and the Chief Metropolitan Magistrate has issued the warrant against the Applicant. The Applicant, accordingly, has approached before this Court by above application for cancellation of the said warrant and disposal of the subject Criminal Case.

4] In view of the fact that the Applicant has deposited the costs of Rs.10,000/- in “Shanti Avedna Sadan” within stipulated time, we allow the present application and cancel the warrant issued against the Applicant in subject Criminal Case namely C.C. No.1964/PW/2015 as said case is already stands disposed of in view of

the compliance of the order dated 20th January, 2016 passed in Criminal Application No.60 of 2016.

5] Criminal Application is, therefore, disposed of.

[DR.SHALINI PHANSALKAR-JOSHI, J.]

[RANJIT MORE, J.]