

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

WRIT PETITION NO.881 OF 2017

Rajesh Nanalal Shah & Ors. .. Petitioners

Vs.

State of Maharashtra & Anr. .. Respondents

Mr.Sanjog Parab with Mr.Jatin Shah, Ms.Sulabha Rane i/b Parab & Associates
for the petitioners.

Ms.P.P.Shinde APP for the respondent no.1.

Mr.Ashish Raghuvanshi i/b Pravina Thakker for respondent nos.2 to 4.

**CORAM : A.K. MENON &
SMT.BHARATI H. DANGRE, JJ.
(VACATION COURT)**

DATED : 11TH MAY, 2018.

P.C. :

1. By this petition, the petitioner is seeking quashing of the charge-sheet dated 3rd May, 2018 in respect of offences under Sections 420 and 34 of Indian Penal Code read with Sections 103 and 104 of the Trade Marks Act, 1999.

2. The parties have arrived at comprehensive settlement as a result of which they now seek quashing of the proceedings which commenced pursuant to C.R.No.56 of 2017 registered at Mira Road police station and in subsequent filing of the charge-sheet.

3. Heard learned counsel for the parties and perused the consent terms, joint affidavit on behalf of respondent nos.2 to 4. It is stated that respondent no.2 is the Vice President of respondent no.4, was the first informant.

4. All parties have signed the consent terms. They are present in the Court and have been duly identified by their respective Advocates. The same are taken on record and marked "X" for identification. All the undertakings in the consent terms are accepted. Considering that the transaction is primarily of a commercial and mercantile nature and there being no other effect on societal implications and in the light of the ratio in the case of *Gian Singh v/s State of Punjab*¹, we deem it appropriate to allow this petition, as a result all the proceedings in R.C.C. No.991 of 2018 shall stand quashed.

4. In the facts and circumstances of the case, the petitioner shall pay costs in a sum of Rs.25,000/- to the Maharashtra State Legal Services Authority within a period of four weeks from today.

5. With the above observations the petition is disposed of.

(SMT.BHARATI. H.DANGRE,J.)

(A.K. MENON,J.)

¹ (2012) 10 SCC 303