

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

CRIMINAL APPLICATION NO. 496 OF 2018

Mr.Vinod Ramchandra Jadhav

... Applicant

Vs.

State of Maharashtra & Anr.

... Respondents

Mr.Hrishikesh Mundargi for the Applicant.

Ms.Pallavi N.Dabholkar, APP for Respondent No.1.

Mr.Kiran Shirang Mohite for Respondent No.2.

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CORAM: MRS.MRIDULA BHATKAR, J.

DATED : DECEMBER 14, 2018

P.C.:

1. The learned counsel for the applicant submits that the offence of cheating is compoundable with the consent of a person who is cheated.
2. The authorized signatory of the complainant i.e., respondent No.2 is present.
3. The learned counsel for both the parties filed the consent terms dated 14.12.2018. All the parties are present. The parties along with their respective counsel signed the consent terms. The consent terms are taken on record and marked as **Exhibit 1** for identification. The identity of both the parties is verified by the Court Sheristedar.

4. It is informed that besides the present applicant/accused, there are three accused, who have not filed any application against the impugned order.
5. In view of the said consent terms, the complaint bearing C.C. No. 260/SW/2013, pending on the file of the learned Metropolitan Magistrate, 66th Court, Andheri, Mumbai and the order of issuance of process dated 27.09.2016 passed by the learned Metropolitan Magistrate, 66th Court, Andheri, Mumbai, under sections 415, 417, 418, 420, 506 read with 120B of the Indian Penal Code are hereby quashed and set aside qua to the applicant.
6. As all the claims between the parties are settled, other accused are to be added in the present complaint. In view of this order, other accused persons and the complainant may take necessary steps before the learned Magistrate.
7. Criminal Application is allowed and is accordingly disposed of.

(MRIDULA BHATKAR, J.)