

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

WRIT PETITION NO. 2082 OF 2015

Umesh Kashinath Awate

...Petitioner

Versus

Mr.Bhalchandra Mohiniraj Pathak & Anr.

...Respondents

**WITH
WRIT PETITION NO. 2084 OF 2015**

Dhananjay Chandrakant Sastkar

...Petitioner

Versus

Mr.Bhalchandra Mohiniraj Pathak & Anr.

...Respondents

Mr.Javed Shaikh i/b. Mr.Abhijeet A. Joshi for the Petitioner in both WPs.
Mr.Niranjan Mogre i/b. Mr.Ravi Girish Shinde for Respondent No.1.
Mr.S.S.Hulke, APP for Respondent No.2- State.

**CORAM : MRS. MRIDULA BHATKAR, J.
DATE : 16 OCTOBER 2018**

P.C.:

1. Today, the petitioners/original accused- Umesh Kashinath Awate and Dhananjay Chandrakant Sastkar are present. Mr.Pushkaraj Bhalchandra Pathak, Secretary of respondent No.1 Trust is also present.

2. Both the petitioners have filed their affidavits dated 16th October, 2018. The petitioners have tendered an unconditional apology on affidavits. The secretary of respondent No.1 Trust by accepting the said unconditional apology,

has made a statement that if it is tendered, then respondent No.1 Trust will undertake to withdraw the private Criminal Complaint No. 2648 of 2013. The Secretary of respondent No.1 has filed affidavit dated 14th October,2018. It is to be noted that Bhalchandra Mohiniraj Pathak is already expired and he is the only complainant in the criminal complaint.

3. In view of this, nothing remains in these Writ Petitions so also in the original complaint and, therefore, the original proceedings are put to an end in these Petitions.

4. Both the petitioners signed their respective affidavits and they are identified by their respective counsel. Mr.Pushkaraj Bhalchandra Pathak, Secretary of respondent No.1 Trust also signed his affidavit and it is identified by counsel of respondent No.1. The said affidavits are taken on record and marked **Exhibit X, Exhibit X-1 and Exhibit -2** respectively.

5. In view of the above, both the Petitions are disposed of with following order:

ORDER

(i) Regular Criminal Case No. 2648 of 2013 pending before the Judicial Magistrate First Class, Court Room No. 9, Pune is dismissed.

(ii) Other applications, if any, pending before any other Court arising out of the same dispute to be disposed of on presentation of this order.

(MRIDULA BHATKAR, J.)