

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
CRIMINAL APPLICATION NO. 747 OF 2016**

Mr. Mahendra Manilal Shah .. Applicant

Vs.

The State of Maharashtra & Ors. .. Respondents

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Mr. Sandesh Patil Advocate i/b Mr. Prathamesh A. Gokhale
Advocate for Applicant

Mr. S.R. Shinde A.P.P. for the State

Mr. Shaiklal i/b Mr. Jaywant Avhad Advocate for Respondent
No.2

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**CORAM : SMT.V.K.TAHILRAMANI ACTING C.J.
AND M.S.KARNIK, J.**

DATED : FEBRUARY 06, 2018

ORAL ORDER [PER SMT. V.K.TAHILRAMANI, ACTING C.J.]:

1 The applicant - original accused no.3 is seeking quashing of CR No. 214 of 2015 of Chaturshrungi Police Station, Pune and the proceedings relating thereto. The said case is under Sections 409, 420, 464(A), 467, 468 and 471 of IPC.

2 Heard the learned counsel for the applicant - original

accused no.3, learned counsel for the respondent no.2 - original complainant and the learned A.P.P. for the State.

3 The applicant as well as the complainant are present before the Court. The complainant states that the matter has been amicably settled between the parties and that the applicant has returned to him his amount of Rs. 2 crore along with compensation of Rs. 14 lakhs, hence, he has no objection to the quashing of said CR No. 214 of 2015 and the proceedings relating thereto qua the applicant. He has also filed the affidavit to that effect, which is taken on record and marked "X" for identification.

4 Looking to the fact that the matter has been amicably settled between the parties and looking to the fact that the complainant does not wish to pursue the case against the present applicant - original accused, we are of the opinion that no purpose would be achieved by continuing the prosecution case against the present applicant in the said case. In this view of the matter, CR No. 214 of 2015 of Chaturshrungi Police Station, Pune and the proceedings relating thereto are quashed

qua the applicant only. The case may proceed as far as the other accused are concerned.

5 Application is allowed and disposed of in above terms.

M.S.KARNIK, J.

ACTING CHIEF JUSTICE

kandarkar