

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPEAL NO.952 OF 2013

**DATTATREYA CHIMASAHEB KHANVILKAR)
SINCE DECEASED THROUGH LEGAL HEIRS)
AND OTHERS)...APPELLANTS**

V/s.

VIDYUT JAYANTILAL SHAH AND ANR.)...RESPONDENTS

Mr.Tejas Dande a/w. Mr.Bharat Gadhavi, Advocate for the Appellants.

Mr.Laukik Tipnis, Advocate for Respondent No.1.

Mr.S.V.Gavand, APP for the Respondent - State.

CORAM : A. M. BADAR, J.

DATE : 28th JUNE 2018

P.C. :

1 Today, by separate order, the application for bringing the legal heirs of deceased appellant/original complainant is allowed and that is how by effecting amendment, legal heirs of deceased appellant are substituted on record.

2 Heard the learned advocates appearing for the parties. They are unanimous in stating that the matter has been settled outside the court and they have instructions from their clients to withdraw the appeal.

3 Appellants are present before the court duly identified by their learned advocates. Similarly, respondent/original accused Vidyut Jayantilal Shah is also present before the court and he is duly identified by his learned advocate. Upon being asked, they all have unanimously stated that they have amicably settled the matter outside the court and they have no grievance and they want to withdraw the appeal by which acquittal of the respondent for the offence punishable under Section 465 read with 34 of the Indian Penal Code is challenged. Appellants and respondent no.1 have placed on record joint affidavit as well as individual affidavits of the appellants for seeking withdrawal of the appeal. Affidavits are taken on record.

4 In this view of the matter, accepting the joint request made by the parties as well as their advocates, in presence of the parties in person, criminal appeal is disposed of as withdrawn.

(A. M. BADAR, J.)