

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

CRIMINAL REVISION APPLICATION NO. 513 OF 2016

Mr. Kashinath Y.More

..Applicant.

V/s.

The State of Maharashtra & anr.

... Respondents.

Mr. Prasad Dube i/by Jay & Co. for the Applicant.

Mr. S.S. Hulke, APP for the Respondent/State.

Mr.Shama Mulla for Respondent No.2.

CORAM : A.S.GADKARI, J.

DATE : 04 October, 2018

P.C.:

1. Heard learned counsel for the applicant and learned counsel for respondent No.2.

2. The applicant is convicted under Section 420 of the Indian Penal Code and is sentenced to suffer Simple Imprisonment for three months and to pay a fine of Rs.1500/- in default of payment of fine to further suffer simple imprisonment for three months, by the learned Judicial Magistrate First Class, Pimpalgaon, District Nashik. The Criminal Appeal No.4/2009 preferred

by the applicant has been dismissed by the learned Additional Sessions Judge Niphad, District Nashik by its Order dated 2.9.2016.

3. The learned counsel for the petitioner submitted that, the parties herein have settled the matter amicably and respondent No.2 does not intend to further prosecute the matter. He tendered across the bar consent terms dated 26.2.2018 entered into the parties inter se. The said consent terms are duly signed by the respective parties and their signatures have been identified by their Advocate appearing before the Trial Court. The respondent No.2 has also affirmed an affidavit dated 26.2.2018 in that behalf. The said consent terms and affidavit are taken on record and marked "X" and "X-1" respectively for identification.

4. In view of the consent terms filed by the parties herein, the petition is allowed in terms of prayer clause (a).

Bail bonds if any executed by the petitioner stands cancelled.

(A.S.GADKARI, J.)

Ashok
Sadashiv
Nalawade

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