

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

WRIT PETITION NO. 4451 OF 2017

Mr.Ramesh s/o.Gulabchand Jain	... Petitioner
Versus	
The State of Maharashtra & Anr.	... Respondents

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Mr.Abhishek Gupta i/b. Mr. A.M. Saraogi for the Petitioner.
Mrs. Rutuja Ambekar, APP for Respondent No. 1/State.
Mr.L.G.Yadav i/b. Mr.Vikas Kalyan Singh Goar for Respondent No.2.

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**CORAM: MRS.MRIDULA BHATKAR, J.
DATED: OCTOBER 24, 2018**

P.C.:

1. Pursuant to the order dated 16th October 2018, today, the learned counsel for the parties file consent terms. The petitioner and respondent No.2 both have signed the consent terms. The learned counsel for the petitioner and respondent No.2 have also signed the consent terms and identified the signatures of their respective clients.
2. The learned counsel for respondent No. 2 submits that respondent No.2 has not come today because he is out of station.
3. The identity of the petitioner is verified by the Court Sheristedar. The said consent terms is taken on record and marked as **Exhibit 1**.
4. The petitioner is facing prosecution for defamation under Section 500 of the Indian Penal Code.

5. In view of the said consent terms, the order dated 20th June, 2017 of rejecting the application for condonation of delay passed by the learned Additional Sessions Judge, (Borivali Division), Dindoshi, Mumbai is hereby quashed and set aside.

6. In view of the said consent terms and on presentation of the certified copy of this order, the learned Additional Sessions Judge and the learned Metropolitan Magistrate shall take necessary steps.

7. With this, Writ Petition is disposed of.

(MRIDULA BHATKAR, J.)