

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPEAL NO.1588 OF 2011

Santosh Manjappa Jain ... **Appellant**

V/s.

Ratish Linggam Saggam and ors. ... **Respondents**

Mr.Hitesh Vyas i/b. Dr.S.S. Karmarkar a/w. Mr.Rahul Shelke for the appellant.

None for respondents no.1 and 2.

Ms.Anamika Malhotra, APP for the respondent/State.

CORAM : A.M.BADAR J.

DATED : 2nd AUGUST 2018.

P.C. :

1. This is an appeal by the first informant challenging the judgment and order dated 7th October, 2011 passed in Sessions Case No.794 of 2010 whereby the learned Trial Court was pleased to acquit respondents no.1 and 2 of offence punishable under Sections 498A and 306 read with Section 34 of the Indian Penal Code.

2. The appeal is already admitted for final hearing.

3. The learned Counsel appearing for the appellant has tendered the copy of order dated 23rd July, 2018 passed by the Division Bench of this Court in Family Court Appeal No.226 of 2014 to which consent terms executed by the parties are annexed. The same is taken on record.

4. The learned Counsel appearing for the appellant drew my attention to the consent terms executed by the parties in Family Court Appeal No.226 of 2014 as well as the order of the learned Division Bench of this Court dated 23rd July, 2018 in the Family Court Appeal No.226 of 2014 whereby on recording the consent terms the Family Court Appeal came to be disposed of. Clause 4 of the consent terms is to the effect that the instant appeal shall be withdrawn by the appellant/first informant.

5. With the aid of order dated 23rd July, 2018 passed by this Court in the Family Court Appeal No.226 of 2014, the learned Counsel appearing for the appellant, on instructions is seeking permission to withdraw the appeal.

6. Considering the totality of the facts as well as order dated 23rd July, 2018 passed by the Division bench of this Court in the Family

Court Appeal No.226 of 2014, permission to withdraw the instant appeal as prayed is granted.

7. The appeal is disposed of as withdrawn.

Vina
Arvind
Khadpe

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Vina Arvind
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(A.M.BADAR J.)