

Sequeira

CRIMINAL WRIT PETITION No.5067 OF 2018

Lala Shravan Yashwant and another Vs	... Petitioners
State of Maharashtra & another	... Respondents

Mr.Prajot H.Jaggi, for Petitioners.
Mr.K.V.Saste, - APP, for Respondent-State.
Mr.Sushil Upadhyay i/b Ashok M.Saraogi, for Respondent No.2.

*CORAM : B. P. DHARMADHIKARI &
SARANG V. KOTWAL, JJ.
Date : 7 December, 2018.*

P.C. :

Heard Petitioners with their Advocate, learned APP for Respondent No.1 and Respondent No.2 with his Advocate. Perused report dated 3 January 2014, by Respondent No.2. We find dispute purely of a private nature without any public angle.

2. Consent Terms are tendered by parties. Accordingly, we have questioned them generally. Both parties jointly state that Petitioners are still in possession of one room and within next two to three weeks shall hand over possession thereof to Respondent No.2.

Respondent No.2 also states that Petitioners are residing in that room and therefore, he has given them time to vacate.

3. Respondent No.2 has received possession of a shop and one room already.

4. In view of these developments accepting the joint request, we quash the FIR No.3 of 2014 under Section 420, 506(II) read with Section 34 of the IPC and final report dated 2 April 2014 submitted thereafter. Consequently Criminal Case No.568 /PW/2014 pending before 51st Metropolitan Magistrate Court Kurla, Mumbai, is also quashed.

(Sarang V. Kotwal, J.)

(B.P.Dharmadhikari, J.)