

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
CRIMINAL APPLICATION NO. 46 OF 2019**

Rahul Suri	...Applicant
Versus	
The State of Maharashtra & Anr.	...Respondents

Mr. Vinay J. Bhanushali for the Applicant

Dr. F. R. Shaikh, A.P.P for the Respondent No.1-State

Mr. Aabad Ponda I/b Ms. Mallika Ingale for the Respondent No. 2

**CORAM : B. P. DHARMADHIKARI &
REVATI MOHITE DERE, JJ.
WEDNESDAY, 20th FEBRUARY 2019**

P.C. :

1 Complainant-Vijay is present with his advocate. Counsel for applicant is present. They jointly request for quashing of FIR.

2 FIR is only under Section 420 of the Indian Penal Code and arising out of a property transaction.

3 The consideration amount paid by complainant is deposited by applicant with the Registry of this Court.

4 Complainant/respondent No. 2 is present and he informs the Court that he does not wish to prosecute applicant. He also seeks leave to withdraw amount in deposit.

5 Applicant has no objection if amount is allowed to be withdrawn.

6 Perusal of report does not show any public angle.

7 In this situation, we make rule absolute in terms of prayer clause (a).

8 Needless to mention that if there is no other order operating against respondent No. 2, respondent No. 2 is free to withdraw amount deposited by the applicant with the Registry of this Court.

REVATI MOHITE DERE, J.

B. P. DHARMADHIKARI, J.