

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
APPELLATE SIDE CRIMINAL JURISDICTION
CRIMINAL APPEAL NO. 911 OF 2003**

The State of Maharashtra	..Appellant
Vs.	
Sulbha Bhairavnath Tilekar	..Respondent

Ms Anamika Malhotra APP for Appellant
Mr. Machhindra A Patil for Respondent

**CORAM : K.R.SHRIRAM, J.
DATE : 19th DECEMBER 2019**

P.C.:

1 This is an appeal filed by the State, impugning an order dated 28-4-2003 passed by the Judicial Magistrate First Class, Pune, whereby respondent was acquitted of offence punishable under Section 408 (*Criminal breach of trust by clerk or servant*) of Indian Penal Code.

2 Mr. Patil appearing for respondent states that the matter has been settled with the original complainant and tenders a certified copy of minutes of order dated 28-7-2017 filed in Writ Petition No.815 of 2005, under which, the original complainant and respondent have settled the matter. The copy of order dated 28-7-2017 together with the consent terms are taken on record and marked "X" for identification. Mr. Patil for respondent submits that respondent has in fact been reinstated with back wages. Mr. Patil states that offence charged being under Section 408, which is compoundable as per Section 320 sub Section (2) of the Criminal

Procedure Code, the appeal be dismissed.

3 Ms Malhotra, learned APP submits that instead of dismissing the appeal, the court may dispose the appeal in view of the settlement terms entered into between the original complainant and respondent.

4 Accordingly, appeal stands disposed.

(K.R. SHRIRAM, J.)