

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

WRIT PETITION NO.689 OF 2018

Ajay Rameshwar Agrawal

...Petitioner

vs.

The State of Maharashtra and Anr.

...Respondents

Mr. Prashant Parsurampuria for the Petitioner.

Ms. S. D. Shinde, APP for the Respondent/State

Mr. Sachin Pandey for the Respondent No.2.

**CORAM : B. P. DHARMADHIKARI &
REVATI MOHITE DERE, JJ.**

DATE : 07/03/2019.

P.C.:

. Parties are jointly seeking quashing of charge-sheet under sections 420, 406, 434, 465, 468, 471, 474 and 120-B of IPC. This charge-sheet dated 19/5/2004 is in furtherance of FIR No.88/1999 dated 23/9/1999.

2. We have perused the memorandum of settlement in which loan taken by the petitioner company from erstwhile Ashok Leyland Finance Limited was taken over by Indusind Bank Limited. It appears that as per terms of settlement the petitioner, the Director of Company M/s. Trident Steel Limited who had taken that loan has settled the matter and accordingly as per the settlement amount of Rs.13 Lakhs has been received by Respondent No.2.

3. In this situation on 14/2/2019 this Court directed Respondent-State to verify antecedents. Today, learned APP upon instructions states

that there are no criminal antecedents.

4. Though in charge-sheet along with the petitioner there are two other persons, petitioner points out that those persons were the employees of M/s. Trident Steel Limited and are currently not available. Learned counsel for respondent No.2 complainant submits that in view of settlement, respondent No.2 has given no objection for quashing of entire charge-sheet.

5. Respondent No.2 has accordingly filed reply affidavit before this Court already on 14/2/2019.

6. In view of this development, we make rule absolute in terms of prayer clause (b).

(REVATI MOHITE DERE, J.)

(B. P. DHARMADHIKARI, J.)