

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

CRIMINAL WRIT PETITION NO.803 OF 2017

Kuldeep Umraosingh Ostwal & Anr. ...Petitioners

vs.

The State of Maharashtra and Anr. ...Respondents

Mr. Swapnil Ambure a/w Mikhail Dey i/b Dinesh Tiwari and Associates
for the Petitioners.

Mr. A. S. Pai, APP for the Respondent-State.

Mr. J. K. Shah for the Respondent No.2.

**CORAM : B. P. DHARMADHIKARI &
REVATI MOHITE DERE, JJ.
DATE : 09/01/2019.**

P.C.:

. The respective counsel submit that FIR registered as 225/2015 on 28/7/2015 and later on registered by EOW as 45/2015 needs to be quashed and set aside due to Consent Terms which are already recorded and accepted by the Division Bench of this Court in First Appeal No.1124/2013 on 4/5/2018.

2. Copy of that order dated 4/5/2018 is produced before us. It appears that in civil dispute pending between the parties, Consent Terms were tendered and after due verification have been accepted by the Court. As per condition 42 of the Consent Terms steps to withdraw/drop FIR need to be taken.

3. Respondent No.2 has tendered an affidavit in support of this development and has given no objection for quashing of FIR No.45/2015

4. Affidavit tendered by respondent No2 (informant) and the order dated 4/5/2018 is taken on record. Accordingly, on joint request we make Rule absolute in terms of prayer clause (a). However, it is subject to the petitioner and also respondent No.2 paying amount of Rs.1 Lakh each to the Police Welfare Fund within 3 weeks from today.

(REVATI MOHITE DERE, J.)

(B. P. DHARMADHIKARI, J.)