

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

CRIMINAL REVISION APPLICATION No. 341 OF 2017

Mr.Rajkumar Bajaj

...Applicant

Versus

The State of Maharashtra & Anr.

...Respondents

Mr.Neeraj Yadav h/f. Mr.R.Sathyanarayanan for the Applicant.

Mr. A.R.Patil, APP for Respondent No.1-State.

Mr. A.A.Jain for Respondent No.2.

**CORAM : MRS. MRIDULA BHATKAR, J.
DATE : 25 MARCH 2019**

P.C.:

1. Mr.A.A.Jain, the learned counsel for respondent No.2/ complainant seeks permission to sign the consent terms on behalf of the complainant.

2. The learned counsel for both the sides are present and filed the consent terms dated 14.07.2018. Both the parties have signed the consent terms. The consent terms is identified by Advocate Mr. Saurabh Sharma. The identity of the complainant and the accused is verified by

the Court Sheristedar. The said consent terms is taken on record. The undertakings given in the consent terms by the parties are accepted.

3. The learned counsel for both the parties have produced receipt bearing No.0207031 dated 07.07.2018 issued by the learned Metropolitan Magistrate, 14th Court, Girgaon in respect of payment of Rs. 5,00,000/-. The cheque amount is of Rs. 5,00,000/-.

4. In view of this, Criminal Revision Application is allowed with following order:

ORDER

(i) The judgment and order dated 29.03.2017 passed by the learned Additional Sessions Judge, Gr. Mumbai in Criminal Appeal No. 1022 of 2015 is hereby quashed and set aside;

(ii) The judgment and order dated 02.11.2015 passed by the learned Metropolitan Magistrate, 14th Court, Girgaon, Mumbai in C.C.No. 1402245/SS/2011 is hereby quashed and set aside;

(iii) Respondent No.2 i.e., original complainant is allowed to withdraw an amount of Rs. 5,00,000/-, which was deposited by the applicant/accused in the Court of the learned Metropolitan Magistrate, 14th Court, Girgaon, Mumbai, by producing copy of this order.

(MRIDULA BHATKAR, J.)