

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO. 3365 OF 2010

Amit Vallabhdas Bhansali and Ors. ... Applicants

Versus

State of Maharashtra and Anr. ... Respondents

WITH

CRIMINAL APPLICATION NO. 3127 OF 2010

Smt. Uma Amit Bhansali ... Applicant

Versus

State of Maharashtra and Anr. ... Respondents

Mr. Shyam Marwadi a/w Mr. Mayur Bhojwani and Ms. Prangana Barua I/by M/s. Manilal Kher Ambalal & Co. for the applicants.

Adv. M.A. Rochiramani I/by Rochi & Rochi for R. No. 3.

Smt. S.D. Shinde, APP for the respondent State.

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

DATE : JANUARY 09, 2019

P.C.:

Heard respective counsel.

2. They jointly point out that the controversy has been amicably settled between the parties and as such the matters can be disposed of. The counsel for the applicants invited our attention to

order dated 15/6/2011 passed by this court while issuing rule in the matters. They submit that accordingly the proceedings before Joint Charity Commissioner have been finally decided and the Jt Charity Commissioner on merits has found no substance in the grievance made by the complainant. Not only this, they also state that in the civil proceedings which reached this court in Execution Application No. 716 of 2017 while passing orders on Chamber Summons No. 719 of 2017 on 6/12/2018, this court has also taken a note of the consent terms reached between the parties. According to them therefore, even on merits the matters need to be allowed.

3. Learned counsel for respondent no. 3 complainant in both the matters submits that respondent no. 3 has already filed affidavit sworn on 26/11/2018 with the registry of this court accepting the statement. Respondent no. 3 is present in court and he informs that he is not interested in prosecuting the complaint.

4. In view of these developments, accepting the joint request, we make rule absolute in terms of prayer clause (a) in both the matters. Accordingly both Criminal Applications are allowed and disposed of.

(REVATI MOHITE DERE, J.) (B.P. DHARMADHIKARI, J.)