

nsc.

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

CRIMINAL WRIT PETITION NO.3070 OF 2015

Manish B. Lamba and Anr. ... Petitioners

Versus

M/s. Osho Dhara Developers and Anr. ...Respondents

Mr. Datta Mane, for the Petitioners.

Mr. Maruti Sarkar i/b Mr. P. D. Dalvi, for the Respondent No.1.

Ms. P. P. Shinde, A.P.P for the Respondent No.2 - State.

Respondent No.1 is present in-person.

CORAM : REVATI MOHITE DERE, J.

DATE : 28th NOVEMBER, 2019

P.C. :

1. Heard learned counsel for the parties.
2. Both, the learned counsel for the petitioners and respondent no.1 state that the parties have amicably settled their dispute and have entered into consent terms. Learned Counsel have tendered the Consent Terms entered into between the petitioners and the respondent no.1. The said Consent Terms are taken on record and marked 'X' for identification.
3. It appears from the Consent Terms that the Petitioners have paid a lump-sum compensation of Rs.36,000/- to the Respondent No.1 by

demand draft dated 13th September, 2019. Pursuant to the same, the Respondent No.1 has agreed to withdraw the complaint bearing C.C. No.01/SS/2015, which is pending on the file of the learned Metropolitan Magistrate, 20th Court, Mazgaon, Mumbai. The Respondent No.1 has no objection if the petitioners withdraw the amount of Rs.64,125/-, deposited by the petitioners, in the treasury of the learned Metropolitan Magistrate, 20th Court, Mazgaon, Mumbai.

4. Learned Counsel for the Respondent No.1 states that the Respondent No.1, who is present in Court has no objection, if the proceedings being C.C. No.01/SS/2015, is quashed and set aside, in view of the settlement entered into between the parties. The Respondent No.1 who is present in Court reiterates the same.

5. Accordingly, the petition is allowed in terms of prayer clause 'b'.

6. All concerned to act on the authenticated copy of this order.

REVATI MOHITE DERE, J.