

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL WRIT PETITION NO.3472 OF 2018
ALONG WITH
CRIMINAL WRIT PETITION NO.3473 OF 2018

Vaibhav Vitthal Pawar : Petitioner.
Versus
The State of Maharashtra and anr. : Respondents.

Mr. Govind Solunke a/w Mr. S S Dudhane I/by Mr. Pramod N Patil for the
Petitioner.
Mr. Sagar Tambe I/by Mr. Nitesh Mohite for Respondent No.2.
Mrs. G P Mulekar, APP, for Respondent/State.

CORAM : S. S. SHINDE, J
DATE : 05th August 2019

P.C.

1 This Court has received a report from the Mediation Centre at Solapur. The same is taken on record. Perused the said Report. The said Report is signed by the parties as well as the learned advocates who had appeared for the parties before the learned Mediator. It is not necessary to reproduce the terms of settlement arrived at between the parties, since the report itself is taken on record and will be treated as part of the proceedings.

2 The learned counsel appearing for the Petitioner on instructions submits that out of the total amount of Rs.22,00,000/- (Twenty Two Lakhs

only), which has been agreed by the Petitioner to be given to Respondent No.2 – Prajwalita w/o Vaibhav Pawar, the amount of Rs.3,00,000/- (Rupees Three Lakhs only) has already been deposited by the Petitioner in the Court of Civil Judge, Senior Division, Osmanabad. The learned counsel for the Petitioner, on instructions, further submits that the Petitioner will deposit Rs.6,50,000/- (Rupees Six Lakhs Fifty Thousand only) on or before 31/08/2019, and by end of September the Petitioner will deposit Rs.6,50,000/- (Rupees Six Lakhs Fifty Thousand only), and remaining amount of Rs.6,00,000/- (Rupees Six Lakhs only) by the end of October 2019. Statement accepted.

3 The learned counsel appearing for the 2nd Respondent submits that the act of the parties to enter into a compromise/settlement before the learned Mediator is voluntary, and accordingly they have signed the terms of the settlement.

4 In the light of the submissions made across the bar, and considering the report received from the Mediation Centre at Solapur, these Writ Petitions are required to be allowed, and accordingly allowed subject to compliance of the terms of settlement arrived at between the parties before the learned Mediator, which has been duly signed by the parties. Needless to state that the parties shall adhere to the terms of the settlement arrived at between them before the learned Mediator. It is made clear that if there is any breach

of the terms of settlement, committed by the parties, the orders impugned in the present Writ Petitions shall automatically stand revived. Since both the Petitions are allowed subject to compliance of the terms of settlement between the parties before the learned Mediator, both the Petitions stand disposed of. Liberty to apply granted in case any difficulty/contingency arises in future.

[S. S. SHINDE , J]