

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

WRIT PETITION NO.3181 OF 2018

Orbit Constructions and Ors.

...Petitioners

vs.

The State of Maharashtra and Anr.

...Respondents

WRIT PETITION NO.4013 OF 2018

Pujit Ravikiram Aggarwal and Ors.

...Petitioners

vs.

The State of Maharashtra and Anr.

...Respondents

Mr. Ashok Mundargi, Senior advocate a/w Mr. Devmani J. Shukla for the Petitioners in WP No. 3181/2018 and WP No.4013/2018.

Mr. Daljeet Singh Bhatia for the Respondent No.2 in WP No.3181/2018.

Mr. Chaitanya Jadhav i/b S. C. Legal for the Respondent No.2.

Smt. S. D. Shinde, APP for the Respondent/State.

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

DATE : 29/01/2019.

P.C.:

. Common petitioners are before us with prayer to quash the FIR registered against them by Respondent No.2 complainant. Respondent No.2 in WP No.3181/2019 has registered FIR No.94/2016 which offence is under sections 466, 419, 420 and 34 of IPC.

2. Respondent No.2 has given affidavit. He is present in Court and informs that as dues are settled, he does not want to prosecute the

criminal complaint.

3. Complainant in Writ Petition No.4013/2018 has also given affidavit stating that his claim is settled and he does not wish to prosecute FIR No.19/2017 under sections 406, 409, 419, 420 and 34 of IPC.

4. Learned APP has opposed the request. She points out that huge sums are involved in the matter.

5. After hearing respective counsel we find that out of commercial transactions the dispute has cropped up. The petitioners before this Court have also orally affirmed that their dues are settled and have communicated their intention not to prosecute the complaint.

6. In the situation, considering joint request we make Rule absolute in terms of prayer clause (b).

7. As public money and time is lost in investigating the matter, we direct the petitioners to pay amount of Rs.2 Lakhs as costs to the Police Welfare Fund of State of Maharashtra.

(REVATI MOHITE DERE, J.)

(B. P. DHARMADHIKARI, J.)