

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

CRIMINAL WRIT PETITION NO.4254 OF 2014

M/s.DRS Transports Pvt. Ltd. & Ors.

... Petitioners

Vs.

Shri Pradeep Mandal & anr.

... Respondents

Mr.P.P. Mali for the Petitioners

Mr.K.S. Garg for Resp. No.1

Ms.Veera Shinde, APP, for the Respondent – State

CORAM: Mrs.MRIDULA BHATKAR, J.

DATED: FEBRUARY 6, 2019

P.C.:

1. Upon urgent mentioning, taken on Production Board.
2. Rule. Respondents waive notice through their respective counsel. By consent of the parties, Rule made returnable forthwith and the matter heard finally at the stage of admission itself.
3. Learned Counsel for the petitioner submits that in this Writ Petition, the order dated 8.10.2013 by the additional Sessions Judge, Greater Mumbai confirming the order of issuance of process in CC No.1011/SS/2011 is challenged. The learned Counsel for the petitioners, i.e., the original accused, submits that

this Court had granted stay to the process and both the orders of the Courts below. However, in between the parties have settled the matter amicably.

4. Learned Counsel for Respondent No.1 / original complainant, who is present in the Court, confirms these submissions and files an affidavit in reply of Respondent No.1 / the original complainant stating that he has filed this affidavit voluntarily and confirms that he has no grievance against the petitioners/accused and hence, the impugned order be quashed and set aside.

5. In view of the submissions of the parties and the record, the impugned orders of issuance of process dated 4.4.2013 as also of the Sessions court dated 8.10.2013 are quashed and set aside.

6. Rule made absolute accordingly in terms of prayer clause (b).

(MRIDULA BHATKAR, J.)