

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

WRIT PETITION NO. 5188 of 2018

Abbas Fakhruddin	Petitioner
versus	
Kunal Awasthy and ors.	Respondents

Mr. Pravin Singhal, advocate for the petitioner.
Mr. Yashwardhan Tiwari, advocate for respondent Nos.1 to 3
Mr. Hiten S. Venegaonkar, advocate for respondent Nos. 4 and 5.
Mrs. Aruna S. Pai, APP for the State.

**CORAM : RANJIT MORE &
N. J. JAMADAR, JJ.**

DATE : 30th AUGUST, 2019.

P. C. :

Parties to the petition have settled the dispute between them and, accordingly, consent terms are filed on record along with affidavit of respondent No.3. The consent terms are signed by the petitioner and respondent No.3 on behalf of respondent Nos.1 and 2. Respondent No.3 has undertaken to pay to the petitioner an amount of Rs.60,00,000/- in four equal monthly instalments towards full and final settlement between the petitioner and respondent Nos.1 and 2. A cheque for an amount of Rs.15,00,000/- towards the first instalment is handed over to the learned counsel for the petitioner by learned counsel for respondent No.3 today in the Court. Respondent No.3 has undertaken to pay the instalments as per the consent terms. On payment of entire amount, the petitioner has agreed to withdraw CC No.2683/SS/2015 pending on the file of learned

Metropolitan Magistrate, 23rd Court at Esplanade Mumbai and give consent for quashing the FIR No.44 of 2019 registered with Cuffe Parade Police Station under Section 174 A of the Indian Penal Code, 1860 and cases under Sections 138 and 141 of the Negotiable Instruments Act, 1881.

2. On payment of the entire amount, the petitioner has agreed to withdraw the correspondence made by him to various authorities for issuance of Lookout Notice against respondent Nos.1 and 2.

3. In the aforesaid circumstances, the consent terms are taken on record and marked as "Exhibit-X" for identification. The statements made in the consent terms are accepted.

4. The petition is disposed off in terms of consent terms.

5. Since the matter is amicably settled between the parties, no coercive action shall be taken against the petitioner in respect of the subject case.

[N. J. JAMADAR, J.]

[RANJIT MORE, J.]