

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

CRIMINAL REVISION APPLICATION NO. 19 OF 2017

M/s. Evergreen Developers & ors. ..Applicants.

v/s.

Mr. Nagesh Tushar Sawant & ors. ..Respondents.

Mr. A.P. Mundargi, Sr. Counsel i/b. Mr. Nitin Babgonda Patil,
advocate for applicants.

Mr. Moinuddin Khan, advocate for respondent Nos. 1 and 2.

Mr. N.B. Patil, APP for State.

CORAM : SMT. SADHANA S. JADHAV,J.

DATE : MARCH 6, 2020.

P. C. :

1 Learned Counsel for the respondent admits that the accused applicant herein has allotted the flats to both the respondents, i.e. two flats to Mr. Nagesh Tushar Sawant and one flat to Mr. Arun V. Naidu.

2 The parties have arrived at an amicable settlement. Learned Senior Counsel has placed on record the documents to show that the two flats have been allotted to Respondent No. 1 Mr. Nagesh Sawant and one flat is allotted to respondent No. 2 Mr. Arun V. Naidu. Documents are taken on record and

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cumulatively marked as Article-X.

3 In view of this, the order passed by the Additional Sessions Judge, Greater Mumbai deserves to be quashed and set aside as no case is made out against the applicants.

4 In view of this, following order is passed :

- (i) Criminal Revision Application is allowed.
- (ii) The order dated 8/11/2016 passed by Learned Sessions Judge at Greater Bombay in Criminal Revision Application No. 550 of 2014 is quashed and set aside and the order dated 11/3/2014 passed by the Metropolitan Magistrate, Kurla in C.C. No. 189 of 2013 is hereby confirmed.
- (iii) The application is disposed of accordingly.

[SMT. SADHANA S. JADHAV, J.]