

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
WRIT PETITION NO. 3541 OF 2015

Shadaab Patel ... Petitioner

Versus

The State of Maharashtra ... Respondent

Mr.Ganesh Bhujbal for the petitioner.

Mr. Akhilesh Dubey a/w Mr. Uttam Dubey i/by Law Counsellors for respondent no. 2.

Dr. F.R.Shaikh a/w Smt. Aruna Pai, APP for the State.

**CORAM : B.P. DHARMADHIKARI &
NITIN R. BORKAR, JJ.**
DATE : JANUARY 22, 2020

P.C.:

Petitioner is present with his advocate. Respondent no.2 complainant is present with his advocate. They are jointly requesting for quashing and setting aside of the FIR dated 20/7/2015 registered for the offences under sections 420, 465, 467, 468 and 471 IPC. Accordingly both of them have tendered affidavits today stating that quashing of the FIR and settlement between them does not have any adverse effect on any third party.

2. The request made jointly needs to be read in the backdrop

of Criminal Application No. 560 of 2015 which stands disposed of today with consent.

3. Present petition happened to be the complainant in that matter and respondent no.2 in this matter was petitioner there.

4. The complainant has accepted the power of attorney and all sale deeds in favour of third parties executed in furtherance thereof by the present petitioner.

5. The consent terms accordingly expressly state that the interest of third parties are not affected.

6. Our observations in the order passed today in Criminal Application No. 560 of 2015 also hold good in the present matter. However, in the present matter, we are inclined to direct the parties to pay the amount of Rs.50,000/- as cost to Police Welfare Fund of the State of Maharashtra. Subject to payment of such cost within four weeks from today, we make the rule absolute in terms of prayer clause (a).

(NITIN R. BORKAR, J.)

(B.P. DHARMADHIKARI, J.)