

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

**CRIMINAL APPLICATION NO. 1381 OF 2016
ALONG WITH
CRIMINAL APPLICATION NO. 473 OF 2017**

Shabbir Patel ... Applicant

Versus

The State of Maharashtra ... Respondent

**WITH
CRIMINAL APPLICATION NO. 1143 OF 2017**

Shehnaz Patel ... Applicant

Versus

The State of Maharashtra ... Respondent

Mr. Akhilesh Dubey a/w Mr. Utatm Dubey i/by Law Counsellors
for the applicant in Cri. Appln No. 1381 of 2016.

Mr. Sameer Pandit a/w Adv Sarrah Khambati, Mr. Pranay Kamdar
i/by Wadia Gnhandy & Co. for the applicants in Cri. Appln No.
1143 of 2017.

Mr. Jayant Bardeskar for the respondent in Cri. Appln No. 1143 of
2017.

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

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

P.C.:

Heard counsel for the petitioner and respondent no. 2.
They are also present. Affidavit that the dispute is amicably

settled between them sworn in by the petitioner, his wife and respondent no.2 is tendered today. The same is taken on record.

2. Prayer is to quash and set aside the FIR registered on 19/5/2016 under sections 464, 465, 467, 468, 471, 420 and 34 IPC.

3. The affidavit states that the FIR was lodged because of documents presented before the Small Causes Court at Mumbai in L.E. Suit No. 61 of 2015. That suit is already settled and the consent terms were filed in that suit. Those consent terms are also signed by one Kiran T. Chheda who happens to be purchaser of the flat through company of petitioner and respondent no. 2.

4. The affidavit states that the rights of Chheda are not being affected to by the present settlement. It is also clarified that the consent terms do not affect in any way the rights of the third parties.

5. Today we have disposed of Criminal Application No. 560 of 2015 by recording compromise between the parties. In view of that order and affidavit presented, we make the rule absolute in terms of prayer clause (a).

(NITIN R. BORKAR, J.)

(B.P. DHARMADHIKARI, J.)