

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
CRIMINAL APPLICATION U/S 482 NO. 1303 OF 2017

Marco Klinge Applicant

Versus

The State of Maharashtra and anr. ... Respondents

Adv. Sonal Parab a/w Adv Mustafa Babra i/by Rajeev Sawant & Associates for the applicant.

Mr. Kushal Thakkar a/w Ms. Shah for respondent no. 2.

Dr. F.R. Shaikh, 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 also present with her advocate. Learned APP appears for the State.

2. The complainant is wife of applicant. On the allegation that for procuring loan from ICICI Bank and HDFC Bank, signatures of respondent no.2 were forged, respondent no. 2 lodged complaint against the applicant.

3. This dispute has been amicably resolved by the parties. The entire loan amount of these banks is already repaid. Respondent

no. 2 has filed affidavit accordingly before this court on 6/7/2018. Her earlier affidavit is dated 10/1/2018 in which she has pointed out that as on the said date the amount of Rs. 90 lacs was outstanding. This outstanding has been cleared thereafter.

4. In this situation, we find that nothing fruitful will come out of this litigation since the applicant and respondent no.2 have settled the dispute amicably. Learned APP however, has submitted that the valuable time of the State machinery has been lost in the matter.

5. Therefore, subject to the applicant paying to Police Welfare Fund of the State of Maharashtra an amount of Rs.50,000/- within four weeks from today, we make the rule absolute in terms of prayer clause (a).

6. Consequently Criminal Case No. 1810/PW/2019 is also quashed and set aside.

(NITIN R. BORKAR, J.)

(B.P. DHARMADHIKARI, J.)