

IN THE HIGH COURT OF JUDICATURE AT BOMBAY**CRIMINAL APPELLATE JURISDICTION****CRIMINAL I.A. (STAMP) NO. 5983 OF 2021.****IN****CRIMINAL WRIT PETITION NO. 524 OF 2018**

Sunil Nivrutti Karande

....Applicant.

Vs.

Shivaji Arjun Warise And Anr.

....Respondents.

Mr. Rajeev N. Kumar for the Applicant.

Mr. J.P. Kharge i/by S.G. Venegaonkar for the Respondent No.1.

Smt. Rutuja Ambekar, APP for the Respondent No.2-State.

CORAM : A. S. GADKARI, J.**DATE : 5th APRIL, 2021.****P.C.:-**

By the present interim Application, the Petitioner-Original Accused and Respondent No.1-Original Complainant in S.Case of (W)/401081/2016 pending before the Additional Chief Metropolitan Magistrate 4th Court, Girgaum, Mumbai have prayed for quashing of issuance of process Order dated 27th June, 2017 in the said CC No.108/SW/2016.

2 The record indicates that, the Respondent No.1 has filed the said Complaint under Sections 406 and 420 of the Indian Penal Code in the Court of Additional Chief Metropolitan Magistrate, 4th Court, Girgaon, Mumbai. The Trial Court by its impugned Order dated 27th June, 2017 issued process against the Petitioner. The Petitioner, therefore, preferred

the present Petition for quashing of the said Order dated 27th June, 2017.

This Court by its Order dated 14th June, 2018 admitted the present Petition and granted interim relief in terms of prayer clause (b) of the Writ Petition.

3 In this background, the present Application by the Petitioner and the Respondent No.1 has been jointly filed for quashing the impugned Order dated 27th June, 2017 and the Complaint itself.

Specific reasons for compounding the offences have been mentioned in the Application. The present Application is signed by the Petitioner-accused and the Respondent No.2-Complainant. Their signatures have been identified by Advocate Mr. Rajeev N. Kumar, who has also signed the present Application.

4 In view thereof, the Petitioner is permitted to compound offences in CC No.108/SW/2016. The proceedings initiated by Respondent No.1 Shri. Shivaji Arjun Warise bearing S.Case of (W)401081/W/2016 before the Additional Chief Metropolitan Magistrate 4th Court, Girgaum, is accordingly quashed.

Interim Application is allowed in terms of prayer clause (a).

5 In view of above, Writ Petition No.524 of 2018 does not survive and is accordingly disposed off.

(A.S. GADKARI, J.)