

CRIMINAL WRIT PETITION NO.3027 OF 2021

Mr. A. R. Patil, A.P.P for the Respondent—State

CORAM : REVATI MOHITE DERE, J.
(THROUGH VIDEO-CONFERENCING)
THURSDAY, 2nd SEPTEMBER 2021

P.C. :

1 Heard learned counsel for the parties.

2 Learned counsel for the petitioner and respondent No. 1 states that the parties have amicably settled the dispute for a sum of Rs. 50,00,000/-, to be paid by the petitioner to the respondent No. 1. The said terms of settlement, reduced to writing, duly signed by the petitioner before the Superintendent, Arthur Road Central Jail, is taken on record.

3 As per the said settlement, the petitioner has paid Rs. 2,00,000/- to the respondent No. 1 by way of demand draft dated 9th August, 2021 and has undertaken to pay the balance amount i.e. Rs. 48,00,000/- within one year, as under :

Sr.No.	Particulars	Date	Amount
1	1 st Installment	26/10/2021	3,00,000.00
2	2 nd Installment	26/11/2021	4,50,000.00
3.	3 rd Installment	26/12/2021	4,50,000.00
4.	4 th Installment	26/01/2022	4,50,000.00
5.	5 th Installment	26/02/2022	4,50,000.00
6.	6 th Installment	26/03/2022	4,50,000.00
7.	7 th Installment	26/04/2022	4,50,000.00
8.	8 th Installment	26/05/2022	4,50,000.00
9.	9 th Installment	26/06/2022	4,50,000.00
10.	10 th Installment	26/07/2022	4,50,000.00
11.	11 th Installment	26/08/2022	4,50,000.00
		Total :	48,00,000.00

4 The respondent No. 1 is present in-person. He states that on receiving payments as stated aforesaid, he will have no objection to the quashing of the impugned judgment and order of conviction and sentence and that he will also issue a no due certificate in respect of the C.C. No.

1108/SS/2008. Pursuant to the judgment and order of conviction and sentence, the petitioner was taken into custody and he is, presently in jail.

5 In view of the aforesaid settlement arrived at between the parties, the petitioner's sentence is suspended and he is enlarged on interim bail, pending the final disposal of the aforesaid writ petition on the following terms and conditions :

ORDER

- (i) The applicant be released on cash bail in the sum of Rs. 10,000/-, for a period of eight weeks;
- (ii) The applicant shall within the said period of eight weeks, furnish P.R. Bond in the sum of Rs. 10,000/- with one or two sureties in the like amount;
- (iii) The applicant shall not commit any default in payment as stated aforesaid;
- (iv) The respondent No. 1 is at liberty to circulate the aforesaid petition, in the event of any default in payment;

(v) Parties shall abide by the settlement terms entered into between them.

6 Considering that the final payment is to be made on 26th August 2022, the aforesaid writ petition is adjourned to the 1st week of September 2022. Liberty is granted to the respondent No. 1 to take the matter on Board, in the event, there is any default in making the payments as stated aforesaid.

7 Stand over to 1st week of September 2022, for recording compliance.

8 All concerned to act on the authenticated copy of this order.

REVATI MOHITE DERE, J.