

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH, NAGPUR.

CRIMINAL APPLICATION (APL) NO.122 OF 2020

Uddhaoprasad Mangalprasad Tiwari, R/o Jatharpeth, Akola and anr.

-vs-

Dr Saifuddin Ahmed Husain, Rahim Market, Old Basam Stand, Akola.

Office notes, Office Memoranda of
Coram, appearances, Court's orders
or directions and Registrar's orders.

Court's or Judge's Orders.

Shri A. R. Deshpande, Advocate for applicants.

Dr Saifuddin Ahmed Husain, non-applicant in person.

CORAM : A. S. CHANDURKAR AND PUSHPA V. GANEDIWALA, JJ.

DATE : March 03, 2021

It is submitted by the learned counsel for the applicants that under bonafide belief that the dispute between the parties had been resolved and in the light of the compromise-deed dated 17/06/2019 the present proceedings were filed for quashing the criminal proceedings arising out of RCC No.708/2006.

Reply has been filed by the non-applicant stating therein that terms and conditions agreed between the parties are not being fulfilled by the applicants and hence the non-applicant does not accept the said compromise-deed.

The learned counsel for the applicants seeks leave to amend the application for raising appropriate challenges in support of the prayer for quashing the proceedings.

In that view of the matter the present application is permitted to be withdrawn with liberty to the applicants to file fresh proceedings if they desire to seek quashing of the proceedings in RCC No.708/2006. The points raised are kept open. If any fresh application is filed, it is needless to state that the same shall be considered on its own merits.

Criminal application is disposed of accordingly.

Asmita
Bhandakkar

Digitally signed by
Asmita Bhandakkar
Date: 2021.03.03
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