

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

**13 APPLN. FOR LEAVE TO APPEAL BY PVT. PARTY NO.22 OF 2019
WITH ALP/21/2019 WITH APPLN/6803/2017 WITH APPLN/6819/2017**

**AZIZULLAH KHAN S/O. AMANULLAH KHAN AND ANR
VERSUS
SYED MOHAMMAD SADIQUE S/O. SYED MOHAMMED ATA KHAN AND ANR**

Mr. Shaikh Mujtaba Gulam Mustafa, Advocate for the applicant in ALP Nos. 21 & 22 of 2019.

Mr. L.B. Pallod, Advocate for the applicants in Criminal Application Nos. 6819 and 2603 of 2017.

Mr. M.L. Kolhe, Advocate for the respondents.

**CORAM : KISHORE C. SANT, J.
DATED : 12.12.2022**

PC :-

01. These are applications seeking leave to file appeal against acquittal by the private party. During the pendency of the application, the parties were referred to mediation. With the intervention of mediator, the mediation is successful and terms of compromise are reduced into writing and are duly signed and verified by the parties. It is now decided that the respondent would pay Rs.32,00,000/- (Rupees Thirty Two Lakhs) to the applicants within three months from 23.11.2022. The amount is to be distributed in the proportion as stated in the terms of compromise. On the last occasion, the compromise pursis was taken on record, which is marked "X" for the purpose of identification.

02. This Court only wanted to safeguard the interest of the applicants

as till now no amount is paid to them and it was only to be paid within three months from the date of the compromise. To ensure further that the interest of the applicants is taken care of, this Court thought it fit to take an undertaking from respondent No.1, so as to bind him by the undertaking, so that appropriate action can be taken in case of failure to pay the amount.

03. Today the parties are present in the Court. The undertaking executed by respondent No.1 is taken on record and marked "X-2" for the purpose of identification. In view of terms of compromise and in view of undertaking given by respondent No.1, no purpose would be served by keeping the matters pending in this Court.

04. The Applications for leave to file appeal and the Criminal Applications are disposed off in terms of the compromise.

[KISHORE C. SANT, J.]