

AGK

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION**

WRIT PETITION NO.263 OF 2020

Kishor Narkhede & Ors. ... Petitioners
V/s.
The State of Maharashtra & Anr. ... Respondents

Mr. Niranjan Mundargi with Ms. Trisha Bhattacharya
and Mr. Prasanna Bhangale for the petitioner.

Mr. A.R. Patil, APP for respondent no.1/State.

Mr. Jayprakash Ganapati Baikerikar, authorized
signatory of respondent no.2 is present in person.

CORAM : AMIT BORKAR, J.

DATED : NOVEMBER 17, 2022

P.C.:

1. The challenge in this petition is to the order of issuance of process dated 23rd October 2019 passed by the learned Chief Judicial Magistrate, Thane in R.C.C. No. 1966 of 2018. The offence registered against the petitioner is under sections 418, 420, 448 Cr.P.C.

2. During the pendency of the present petition, the petitioner and respondent no.2 have amicably resolved their disputes. Respondent no.2 is personally present in Court. He has submitted copy of his Aadhar card. The same is verified and it is ascertained that the respondent no.2 is the same person.

3. Both parties have filed consent terms signed by the petitioner

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and respondent no.1. The consent terms are taken on record and marked 'X' for identification.

4. On perusal of the averments in the complaint, it appears that the offences are private in nature. In that view of the matter, in view of amicable resolution of disputes between the parties, the impugned order of issuance of process dated 23rd October 2019 passed by the learned Chief Judicial Magistrate, Thane in R.C.C. No. 1966 of 2018 is quashed and set aside.

5. The proceedings bearing R.C.C. No.1966 of 2018 pending before the learned Chief Judicial Magistrate, Thane are dismissed.

6. The writ petition is disposed of in above terms. No costs.

(AMIT BORKAR, J.)