

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO.65 OF 2018

Kukoo Gulam Hussain Mistry	Applicant
versus	
Sajjad Mohsin Moledina and another	Respondents

Mr.Osman Chishty, Advocate for applicant.
Mr.K.A.J. Merhant, Advocate for respondent (V.P.not filed).
Ms.Kukoo Gulam M. Mistry, applicant present in person.
Mr.Sajjad M.M., respondent no.1 present in person.
Mr.Arfa Sait, APP, for State.
Mr.Nandkumar G. Shinde, PSI, Sir J.J. Marg Police Station, present.

CORAM : PRAKASH D. NAIK, J.

DATE : 29th June 2022

PC :

1. The applicant has challenged the order dated 27th January 2017 passed by Metropolitan Magistrate framing charge in CC No.6901110/PW/2015 and the order dated 26th October 2017 passed by Sessions Court in Criminal Revision Application No.270 of 2017. The complaint was filed for offence under Section 420 of Indian Penal Code.

2. Learned counsel for applicant and respondent no.1 submit that parties have arrived at settlement. They have executed consent terms and it is agreed that proceedings initiated by respondent no.1 which are subject matter of challenge in this petition may be quashed and set aside by consent. The affidavit filed by applicant as well as respondent no.1 are placed on record along with consent terms executed between parties.

3. The applicant as well as respondent no.1 are present in Court. The affidavits and consent terms are taken on record. In view of the aforesaid circumstances the proceedings can be quashed.

ORDER

- (i) Criminal Application No.65 of 2018 is allowed and disposed of;
- (ii) Impugned order dated 27th January 2017 passed by Metropolitan Magistrate framing charge in CC No.6901110/PW/2015, order dated 26th October 2017 passed by Sessions Court in Criminal Revision Application No.270 of 2017 and proceedings in impugned complaint are quashed and set aside;
- (iii) It is also agreed that proceedings initiated by applicant against respondent no.1 vide CC No.6900647/PW/2017 pending in the Court of Metropolitan Magistrate, would be withdrawn by consent of parties.

(PRAKASH D. NAIK, J.)

MST