

IN THE HIGH COURT OF JUDICATURE AT BOMBAY**CRIMINAL APPELLATE JURISDICTION****CRIMINAL APPLICATION (APL) NO.152 OF 2012****WITH****CRIMINAL APPLICATION (APPP) NO.156 OF 2012****IN****CRIMINAL APPLICATION (APL) NO.152 OF 2012**

S. C. Naidu

.....Applicant

Vs.

NEPC Airlines & Anr.

.....Respondents

Mr. Niranjan Mundargi a/w Mr. Sudesh Naidu a/w Mr. Pradeep Kumar for the Applicant.

Ms. P.M. Bhansali i/by Ms. Mallika Ingale for Respondent No.1.

Mr. S.S. Hulke APP, for the Respondent-State.

**CORAM : A. S. GADKARI AND
MILIND N. JADHAV, JJ.**

DATE : 27th JULY, 2022.

PC:-

The aforementioned Applications are filed by the Original Accused No. 2 for quashing of MECR No.9 of 2010 filed under Sections 166, 167, 409, 463, 467 a/w Section 114 read with Section 34 of the Indian Penal Code and under Sections 7 and 12 of the Prevention of Corruption Act. The said crime has been registered with Nehru Nagar Police Station, Mumbai in furtherance of Order dated 10th June, 2010 passed by the learned Metropolitan Magistrate, 34th Court, Vikhroli, Mumbai.

2 Mr. Mundargi learned counsel for the Applicant submitted that, the parties herein have settled the matter amicably out of the Court and the

informant/complainant has expressed its desire not to pursue with the said crime further.

Ms. Bhansali, learned counsel appearing for the Original Complainant submitted that, Respondent No.1 i.e. the original Complainant does not wish to pursue the said complaint hereinafter and the same may be quashed.

3 Record indicates that, in pursuance of Order dated 28th September, 2021, Applicant and Respondent No.1 (Complainant) have filed their respective Affidavits placing on record the fact that they have compromised the matters.

4 In view of the fact that Respondent No.1 (Original Complainant) does not wish to pursue the said complaint further and is acceding to the prayer of Applicant for quashment of FIR being MECR No.9 of 2010 registered with Nehru Nagar Police Station, Kurla Mumbai, Criminal Application (APL) No.152 of 2012 deserves to be allowed in terms of prayer clause (b).

Application is accordingly allowed.

In view of disposal of Criminal Application (APL) No.152 of 2012, Criminal Application (APPP) No.156 of 2012 filed therein does not survive and is accordingly disposed off.

(MILIND N. JADHAV, J.)

(A.S. GADKARI, J.)