

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
CRIMINAL APPLICATION NO.421 OF 2021

Gaurav Ram Sewak Katiyar	...	Applicant
Vs.		
State of Maharashtra and another	...	Respondents

Mr. Jigar K. Agarwal i/b. Mr. Vahid Shaikh for Applicant.
Ms. M. H. Mhatre, APP for Respondent No.1-State.
Mr. Rukhsar Qureshi for Respondent No.2.
Applicant and Respondent No.2 are present in person.

**CORAM : S. S. SHINDE &
N. R. BORKAR, JJ.**

DATE : FEBRUARY 23, 2022

P.C. :

Ms. Mhatre, learned APP appearing for respondent No.1, on instructions, submits that 'A' Summary filed by the concerned police officer has been accepted by the Metropolitan Magistrate, 66th Court, Andheri, Mumbai. She has tendered across the Bar a letter dated 21st February 2022 addressed by the Senior Inspector of Police, Sakinaka Police Station to the Public Prosecutor, Bombay High Court. The same is taken on record and marked 'X' for identification.

2. Learned counsel appearing for the applicant and the second respondent jointly submit that the applicant and the second respondent have arrived at settlement.

3. Respondent No.2, who is present in the Court, states that she has voluntarily given consent for settlement and filed affidavit in the present

application giving consent for quashing the impugned F.I.R.

4. In view of the fact that 'A' Summary, arising out of Crime No.762 of 2017 registered pursuant to the complaint filed by respondent No.2, is filed and accepted by the Metropolitan Magistrate, 66th Court, Andheri, Mumbai, nothing further remains to be investigated in the said F.I.R.

5. It is informed by the learned counsel appearing for the parties that pursuant to the settlement arrived between the parties, to satisfy one of the terms of such settlement, amount of Rs.8 lakhs has been handed over by the applicant to one of his relatives, namely, Mr. Brijendrak Sachan (as has been mentioned in the consent terms) with the approval of the Family Court. Counsel appearing for the applicant, on instructions, submits that all the criminal cases filed by the second respondent against the applicant are withdrawn and, therefore, in view of the terms of settlement, second respondent can collect the said amount from Mr. Brijendrak Sachan.

6. Needless to observe that the said Mr. Brijendrak Sachan shall forthwith handover Rs.8 lakhs to the second respondent. We make it clear that we have passed this order keeping in view the terms of settlement arrived between the parties before the Family Court.

8. Application stands disposed of accordingly.

(N. R. BORKAR, J.)

(S. S. SHINDE, J.)