

Rakesh Shrikant Mishra		
And Others	...	Applicants
Versus		
The State of Maharashtra		
And Another	...	Respondents

Mr. Ratnesh S. Shukla for Respondent No.2.

DATE : 6 MAY 2022

Heard learned Counsel for the Applicants/accused, learned APP for the Respondent-State and learned Counsel for Respondent No.2.

2 M.E.C.R. No.129 of 2019 registered at Dahisar Police Station on 17
March 2019 is outcome of incident of transfer of Innova Car in RTO
Record by Applicant No.1 by forging signature of Respondent No.2.
Applicant Nos. 2 and 3 are the agents, who have assisted Applicant No.1
in transferring that car. As of now, they have settled all disputes. This
Petition is for quashing.

3 Applicant No.1 in the month of May 2017 has taken Innova car
from possession of Respondent No.2 on the pretext of going to his native
place. Instead of returning the car, Applicant No.1 along with Applicant

Nos.2 and 3 have transferred the car in the name of Applicant No.1.

4 Apart from this prosecution, there were property disputes pending in between Applicant No.1 and Respondent No.2 in respect of Properties situated at Palghar and Khed, Ratnagiri. Yet a chargsheet is not filed

5 Applicant No.1 and Respondent No.2 have settled all their disputes and they have entered into Memorandum of Understanding (MoU) on 24 February 2021. Infact, Applicant No.1 has paid consideration of the car to Respondent No.2 by issuing two cheques, for Rs.2,50,000/- each. They were dishonored on their presentment. However, as per the settlement, Applicant No.1 has deposited that amount with one Rajkumar Dubey. It finds place in paragraph-7 of MoU. Now Respondent No.2 admits that he has received that amount also. Respondent No.2 has also filed an Affidavit, thereby consenting for quashing of MECR. MECR was filed on the directions issued under Section 156(3) of the Code of Criminal Procedure.

6 As the parties have settled their disputes, we find no reason to keep the prosecution pending . Hence, Order.

: O R D E R :

1. Criminal Application No.729 of 2021 is allowed.
2. M.E.C.R. No.129 of 2019 registered with Dahisar Police Station for offences punishable under Sections 406, 420, 467, 471 read with 34 of the Indian Penal Code is quashed and set aside.

(S. M. MODAK, J.)

(PRASANNA B. VARALE, J.)