

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

**CRIMINAL APPLICATION NO. 1133 OF 2016**

Kausalyabai Vasntlal Redasani and Ors.      Applicant

Versus

The State of Maharashtra and Anr.      Respondents.

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Mr. Jayant J. Bardeskar, Advocate for the Applicant.

Mr. Ashish S. Sawant for Respondent No.2.

Mr. S. R. Agarkar, APP for the Respondent – State.

Mr. Vishnu Mahesh Patodia Respondent No.2/Ori. Complainant  
present in Court.

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**CORAM : PRAKASH D. NAIK, J.**

**DATE : 11<sup>th</sup> AUGUST, 2022**

**PC :**

1. Not on board. Taken on board.
2. Learned advocate representing both the sides jointly submitted that parties have arrived at settlement. They have executed consent terms.
3. This application relates to challenge to order of process passed by Court of learned Magistrate, Malegaon dated 14.04.2016 in RCC No. 464 of 2016.

4. It is pointed out that civil proceedings initiated by parties were also disposed of on account of consent terms filed by parties. Order dated 22.04.2022 passed in Second Appeal No. 546 of 2015 which referred to execute the consent terms executed between the parties placed on record.

5. The complainant /respondent No.2 herein has filed affidavit alongiwth consent terms and the order passed in Civil Proceedings which indicate that the parties have amicably settled the dispute in paragraph No.7 of this affidavit. The complainant has stated that there is no objection in Criminal Application No. 1133 of 2016 is allowed in terms of prayer clause -(a).

6. The respondent No.2 is present in the Court and he has confirmed the execution of consent terms and expressed no objection for quashing and setting aside the aforesaid proceedings which are subject matter of Criminal Application No.1133 of 2016. The affidavit filed by respondent No.2 is taken on record.

### **ORDER**

(i) Criminal Application No. 1133 of 2016 is allowed in terms of consent terms.

- (ii) Impugned order dated 14.07.2016 issuing process and the proceedings in RCC No. 464 of 2016 pending before the Court of JMFC, Malegaon are quashed and set aside.
- (iii) Application stands disposed of.

**(PRAKASH D. NAIK, J.)**