

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL WRIT PETITION NO.4962 OF 2021

Diya Roy Chowdhury	Petitioner
versus	
Mona Ghalib Deigani and another	Respondents

WITH
CRIMINAL WRIT PETITION NO.5043 OF 2021

Diya Roy Chowdhury through her C.A.Jyoti Roy Chowdhury	Petitioner
versus	
Mona Ghalib Deigani and another	Respondents

WITH
CRIMINAL WRIT PETITION NO.5046 OF 2021

Diya Roy Chowdhury through her C.A.Jyoti Roy Chowdhury	Petitioner
versus	
Mona Ghalib Deigani and another	Respondents

WITH
CRIMINAL WRIT PETITION NO.6620 OF 2021

Jyoti Roy Chowdhury and another	Petitioners
versus	
Mona Ghalib Deigani and another	Respondents

WITH
CRIMINAL WRIT PETITION O.6628 OF 2021

Jyoti Roy Chowdhury and another	Petitioners
versus	
Mona Ghalib Deigani and another	Respondents

WITH
CRIMINAL WRIT PETITION NO.6619 OF 2021

Jyoti Roy Chowdhury and another	Petitioners
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versus

Mona Ghalib Deigani and another

Respondents

Mr.Sudeep Pasbola with Mr.Abbas Zaidy and Aditya K. i/by Zohair & Co. for petitioners.

Mr.Taraq Sayed, Advocate for respondent no.1-original complainant.

Mr.A.R.Patil, APP, for State.

Ms.Jyoti Roy Chowdhury-petitioner, present

Ms.Mona Ghalib Deigani, original complainant-respondent no.1 present.

CORAM : PRAKASH D. NAIK, J.

DATE : 14th September 2022

PC :

1. The petitioners in all these petitions are prosecuted for offence u/s.138 of Negotiable Instruments Act. Learned advocates for both sides submit that petitioners and complainant had arrived at amicable settlement and executed consent terms dated 14th September 2022. The petitioner Ms.Jyoti Roy Chowdhury in Writ Petition Nos.6620/2021, 6628/2021 and 6619/2021 and complainant Ms.Mona Ghalib Deigani are present in Court. They have confirmed the consent terms.

2. Both the sides have agreed that the petitioners shall pay Rs.12,00,000/- to the complainant. As per consent terms, Rs.2,00,000/- are remitted to the complainant and towards balance amount of Rs.10,00,000/- post dated cheque/s are handed over to the respondent/complainant dated 25th November 2022.

3. It is agreed by both the sides that petitions preferred by Diya Roy Chowdhury being Writ Petition Nos.4962/2021, 5043/2021 and 5046/2021 may be disposed off by quashing the proceedings against

her and since further payment is to be received, other petitions may be kept pending.

4. The consent terms dated 14th September 2022 are taken on record and marked "X" for identification. In view of aforesaid, I pass following order :

ORDER

- (i) Criminal Writ Petition Nos. 4962/2021, 5043/2021 and 5046/2021 are allowed to be withdrawn and stands disposed off in view of consent terms;
- (ii) Proceedings in C.C.No.2368/2019, C.C.No.2650/2019 and C.C.No.2938/2019 pending before learned Metropolitan Magistrate, 7th Court, Bhoiwada, Dadar, Mumbai, are quashed and set aside qua Criminal Writ Petition Nos. 4962/2021, 5043/2021 and 5046/2021;
- (iii) Criminal Writ Petition Nos.6620/2021, 6628/2021 and 6619/2021 may be listed on board on 1st December 2022;
- (iv) Till next date of hearing, proceedings in C.C.No.2368/2019, C.C.No.2650/2019 and C.C.No.2938/2019 pending before learned Metropolitan Magistrate, 7th Court, Bhoiwada, Dadar, Mumbai which are challenged in Criminal Writ Petition Nos.6620/2021, 6628/2021 and 6619/2021 are stayed.

(PRAKASH D. NAIK, J.)

MST