

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

CRIMINAL WRIT PETITION NO. 1299 OF 2020

Tejasv Ahuja S/o Ashok Ahuja ...Petitioner
Versus
The State of Maharashtra & Anr. ...Respondents

Mr. Yashwardhan Tiwari for the Petitioner
Ms. Dhanalakshmi Iyer for the Respondent No. 2
Mr. J. P. Yagnik, APP for the Respondent-State

**CORAM : NITIN W. SAMBRE &
R. N. LADDHA, JJ**

DATED : 19th AUGUST, 2023

P.C.:

1. The prayer is for quashing of the FIR in Crime No. 445 of 2008 punishable u/s. 465, 467, 468, 471, 420 r/w. 34 of IPC registered on 14/07/2008.
2. The genesis of the offence against the Petitioner is that the Petitioner unauthorizedly transferred the shares of the client of the Respondent No. 2/Complainant thereby committing an offence of forgery, cheating etc.
3. In this case, The Respondent No. 2/Complainant namely M/s Angel Broking Ltd. has authorized Mr. Vinayak Ashok Kamble to file an Affidavit extending consent for quashing. Such Affidavit sworn by Mr. Vinayak Ashok Kamble authorized representative of the

Respondent No. 2/Complainant is placed on record during the course of the hearing alongwith the true copy of the authorization given in his favour by the Respondent No. 2/Complainant namely M/s. Angel Broking Limited.

4. The said Mr. Vinayak Kamble is also identified by his Counsel, Dr. Dhanalakshmi Iyer and by learned APP upon verifying his Aadhaar Card.

5. The said Mr. Vinayak Kamble has admitted the contents of the Affidavit stating that he is being authorized by the Respondent No. 2/Complainant company to file the Affidavit extending consent for quashing. The Affidavit which is tendered during the course of the hearing is taken on record.

6. In view of the aforesaid, particularly that the Affidavit extending consent for quashing submitted by authorized representative the Respondent No. 2/Complainant and in view of the law laid down by the Apex Court in the matter of ***Gian Singh vs. State of Punjab and Another*** reported in ***(2012) 10 SCC 303*** and ***Narinder Singh & Ors. Vs State of Punjab & Anr.*** reported in ***(2014) 6 SCC 129*** no purpose will be served by keeping the proceedings pending against the Petitioner.

7. That being so, the Petition is allowed in terms of prayer

clause (a) subject to payment of costs of Rs.25,000/- to be paid by the Petitioner and the Respondent No. 2/Complainant **(each)** to the Kokan Kala Va Shikshan Vikas Sanstha (Bank of Maharashtra, Account No:60129595245, IFSC Code:MAHB0000068) within a period of four weeks from today.

8. Parties shall produce the copy of the receipt of payment of aforementioned cost in the Registry within a period of four weeks from today, failing which the order of quashing the proceedings shall stand revived.

(R. N. LADDHA, J)

(NITIN W. SAMBRE, J.)