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IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL WRIT PETITION NO.1531 OF 2009

Hitendra Shah .. Petitioner
v/s.
Atul Bhagwati Shankar Purohit & Anr. .. Respondents

**WITH
CRIMINAL REVISION APPLICATION NO.229 OF 2009**

Atul Bhagwati Shankar Purohit .. Applicant
v/s.
Hitendra Shah & Anr. .. Respondents

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Mr. Mahesh Vishwakarma, i/b. Mr. Rajendra Mishra, for the Petitioner
in WP/1531/2009 and for Respondent in REVN/229/2009.

Mr. Balwant Parmar, for Respondent No.1 in WP/1531/2009.

Ms. Anamika Malhotra, APP, for State.

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CORAM: R.G. AVACHAT, J.

DATE : 13 JANUARY 2023.

P.C:-

The Petitioner present in person and the brother of the
Applicant in revision application is present.

2. Learned Advocates for the parties to both these
proceedings are present. Both of them, on instructions, submit that the

matter has been amicably settled. Consent terms were submitted in Summary Suit No.6402 of 2003 before the City Civil and Sessions Court. Both of them, therefore, urge to seek withdrawal of Writ Petition No.1531 of 2009.

3. Writ Petition No.1531 of 2009 is disposed of as withdrawn.

4. Criminal Revision Application No.229 of 2009 is arising from the judgment and order of Additional Sessions Judge, maintaining conviction in CC No.886/SS/05, for the offence punishable under Section 138 of the N.I. Act. Since the parties have arrived at a settlement, the order of conviction recorded by the trial court against the Applicant, and confirmed by learned Additional Sessions Judge, is hereby set aside. He stands acquitted for the offence punishable under Section 138 of the N.I. Act.

5. Criminal Revision Application No.229 of 2009 stands disposed of.

(R.G. AVACHAT, J.)