

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

WRIT PETITION NO.2660 OF 2022

Mahavir Motilal Toshniwal & Anr. Petitioners.

Vs.

The State of Maharashtra & Anr. Respondents.

...

Mr Rohit Sawant, Advocate for the Petitioners.

Mr Keyur Shah, APP for respondent.

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**Coram : Nitin W. Sambre &
R.N.Laddha, JJ.**

Date : 22 June, 2023.

....

P.C.:

1. The petitioners were chargesheeted for offence punishable under Sections 406, 409, 420, 477-A, 120-B r/w Section 34 of IPC, vide Crime No.217 of 2021, registered on 12.6.2021.

2. Victims of the aforesaid crime, namely, Sima Shah, Vijay Singh, Mayur Shah, Jayesh Shah and Respondent no.2- Madhu

Mahavir Lunavat have filed their respective Consent Affidavits. Their claims are already settled by the petitioners.

3. Parties, but for Jayesh Shah, are present in the Court and through their respective Counsel have extended consent for quashing of FIR in which petitioners have been chargesheeted.

4. Allegations, which led to registration of offence pertains to unauthorised selling of stock of the complainants.

5. In the aforesaid background, having regard to the consent extended by the victims, including that of the complainant, we deem it appropriate to allow the application by quashing of FIR by consent, subject to payment of cost of Rs.25,000/- by the petitioners to the '**Legal Services Authority**', **High Court**, within three weeks from today and shall produce copy of such receipt in the Registry so as to report compliance.

6. In case, if the petitioners fails to pay cost or production of

receipt as directed, the order quashing the criminal proceedings against the petitioners shall stand recalled and the matter be placed before this Court for passing appropriate orders against the petitioners.

7. In case, if the compliance is reported, no orders will be warranted in the matter.

[R.N.Laddha, J.]

[Nitin W. Sambre, J.]