

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

CRIMINAL APPLICATION NO.492 OF 2019

Aman Puneet Singh Kohli

Applicant

versus

The State of Maharashtra and another

Respondents

Adv.PK.Sanghrajka with Adv.Shirish Sawant i/by Rajeev Sawant & Associates for Applicant.

Mr.Vasim Siddiqui i/by Kumar Nichani, Advocate for Respondent no.2.

Ms.G.P.Mulekar, APP, for State

Mr.Shirish Bhosale, PC, Khar Police Station, Mumbai, present.

**CORAM : A.S.GADKARI AND
PRAKASH D.NAIK, JJ.**

DATE : 27th March 2023

PC :

1. By the present Application, the Applicant/original Accused in C.R No.141 of 2019, dated 8th March 2019 registered with Khar Police Station, Mumbai under Sections 420 r/w 509 of IPC.

2. Learned Advocate for Applicant submitted that Applicant and Respondent no.2 have settled the matter amicably and Respondent no.2 has affirmed an Affidavit dated 25th September 2019 which is placed on record. In the said affidavit, Respondent no.2 has stated that she has received the amount involved in the present crime along with legal expenses incurred by her. It is further stated that she does not wish to pursue with her complaint i.e. C.R No.141 of 2019

against Applicant and wish to withdraw criminal proceedings filed by her.

3. In paragraph no.6 of the affidavit filed by Respondent no.2 she has given her No Objection to quash the FIR No.141 of 2019 registered with Khar Police Station, Mumbai.

Her signature has been duly identified by her advocate on record. Advocate for Respondent no.2 admits execution of said affidavit of Respondent no.2 by her free will and without any duress or coercion.

4. In view thereof, we are inclined to quash the said crime No.141 of 2019 registered with Khar Police Station, Mumbai, dated 8th March 2019.

As we expressed our opinion for quashing of said crime by consent of parties, learned counsel for Applicant on instructions submitted that Applicant will pay a cost of Rs.50,000/- to Central Police Welfare Fund within a period of two weeks from today. The said statement is accepted as an undertaking given to this Court.

We direct the Applicant to pay cost of Rs.50,000/- to Central Police Welfare Fund, Director General of Police, Maharashtra State, Mumbai within a period of two weeks from the date of uploading of the Order on the website of High Court. The details of bank account for payment of cost are as follows:-

Bank Name : Axis Bank Limited
Branch Name : Worli, Mumbai (M.H), Mumbai-400025
Account Name : Central Police Welfare Fund
Account Number : 914010029005759
IFSC Code : UTIB0000060

5. In view of above, Application is allowed in terms of prayer clause (a).

6. It is to be noted that if Applicant fails to deposit said amount within the stipulated period in the account of Central Police Welfare Fund, the Application will stand revived. In that case investigating agency shall proceed with investigation of said crime.

7. Stand over to 24th April 2023.

To be listed on board under the caption 'for reporting compliance'.

(PRAKASH D. NAIK, J.)

(A.S.GADKARI, J.)