

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

CRIMINAL WRIT PETITION NO. 2272 OF 2014

Kanaiyalal Sethia

...Petitioner

Versus

State of Maharashtra & Anr.

...Respondents

Mr. Niranjan Mundargi a/w Mr. Chandansingh Shekhawat,
Mr. Yashovardhan Deshmukh and Ms. Keral Mehta i/b Parinam
Law Associates for the petitioner

Mrs. P. P. Shinde, A.P.P for the Respondent No.1-State

Mr. M. A. Adenwala i/b Ms. Poonam Utekar for the Respondent
No. 2

Ms. Sippy Patawari, Respondent No. 2 is present in Court

***CORAM : REVATI MOHITE DERE &
GAURI GODSE, JJ.***

THURSDAY, 9th NOVEMBER 2023

ORAL ORDER (Per Revati Mohite Dere, J.) :

1 Pursuant to the administrative order passed by
the Hon'ble the Chief Justice, the aforesaid petition has been
placed before us.

2 Heard learned counsel for the parties.

3 Rule. Rule is made returnable forthwith, with the consent of the parties and is taken up for final disposal. Learned A.P.P waives notice on behalf of the Respondent No.1-State. Mr. Adenwala waives notice on behalf of the respondent No.2.

4 By this petition, the petitioner seeks the following reliefs :

“(a) This Hon'ble Court be pleased to quash the FIR registered under CR No. 3/2014 dated 7.1.2014 and the notice/summons dated 26.03.2014 by the Navghar Police Station, Mulund, Mumbai;

(b) Pending the hearing and final disposal of this petition, the investigation of complaint registered under CR No. 3/2014 dated 7.1.2014 by the Navaghar Police Station, Mulund, be stayed;

(c) ad-interim relief in terms of prayer (b) above be granted;

(d) for costs;

(e) any other relief as this Hon'ble Court may deem fit and proper in the nature and circumstances of the case."

5 Learned counsel for the petitioner and the learned counsel for the respondent No.2/complainant state that the parties have amicably settled their dispute and have filed Minutes of the Order entered into between Jay Sethia and respondent No.2 in Criminal Writ Petition No. 4387/2022.

6 The respondent No. 2 is present in Court. She states that in view of the Minutes of the Order, she has no objection if the petition is allowed in terms of prayer clause (a). She states that she has filed an affidavit in Writ Petition No. 4387/2022, in which she has given her consent for quashing of the case mentioned in prayer clause (a) as reproduced hereinabove.

7 In view of the above, petition is allowed in terms of

prayer clause (a) and is disposed of accordingly.

8 All concerned to act on the authenticated copy of
this order.

GAURI GODSE, J.

REVATI MOHITE DERE, J.