



Patil-SR

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IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO. 836 OF 2023

Vanshika Jeetendra Harisinghani
and Others.

...Applicants.

V/s.

The State of Maharashtra & Others.

...Respondents.

Mr. Akshay P. Katadia and Mr. Devang Thakkar i/b Mr. Robinsingh H. Palthiya for the Applicants.

Ms. M. H. Mhatre, APP for the Respondent-State.

Mr. Monish R. Bhatia, Mr. Vikrant Sukhwani and Ms. Karishma Kacchila for Respondent No. 2.

**CORAM : A.S. GADKARI &
SHARMILA U. DESHMUKH, JJ.**

DATE : 18th October, 2023.

P. C. :

1. Applicants, accused in C.R.No.284 of 2023 registered with Central Police Station, Ulhasnagar, District Thane, under sections 420, 465, 467, 468 and 471 read with 34 of IPC, have filed this application under section 482 of the Cr.PC. for quashing of the said crime with the consent of Respondent No. 2, the informant.

1.1. Learned Advocate for the Applicants submitted that, till date police have not filed charge-sheet. The said statement is accepted.

2. Learned Advocate for the Applicants submitted that, the

Applicants and Respondent No.2 have settled the matter amicably and Respondent No.2 has consented for quashing of the crime in question.

3. Learned Advocate for Respondent No.2 tendered across the bar his Affidavit dated 17th October 2023 duly affirmed before a Notary Public. Respondent No.2 has admitted of amicable settlement in it. In Paragraph No.7 thereof, he has given his no objection for quashing of the crime in question.

3.1. Respondent No.2 is personally present in the Court and through his Advocate reiterates the contents of his Affidavit dated 17th October 2023 and his 'no objection' for quashing of the crime in question.

4. In view thereof, we are inclined to quash the said crime, i.e., C.R.No.284 of 2023 registered with Central Police Station, Ulhasnagar, District Thane.

5. As we expressed our opinion for quashing of the said crime, i.e., C.R. No. 284 of 2023 registered with Central Police Station, Ulhasnagar, District Thane, learned Advocate for Applicants on instructions submitted that, Applicants will pay a cost of Rs.50,000/- each, totaling to Rs.2,00,000/-, to the Advocates' Association of Western India Generation Next Fund, Mumbai, within a period of two weeks

from the date of uploading of present Order on the official website of Bombay High Court. The said statement is accepted as an undertaking given to this Court. As Respondent No.2 is benefited due to the amicable settlement, Advocate for Respondent No. 2 on instructions submitted that, Respondent No.2 will pay a cost of Rs.25,000/- to the Advocates' Association of Western India Generation Next Fund, Mumbai, within a period of two weeks from the date of uploading of present Order on the official website of Bombay High Court. The said statement is accepted as an undertaking given to this Court.

6. We therefore direct the Applicants to pay a cost of Rs.50,000/- each, totaling to Rs.2,00,000/- and Respondent No.2 to pay a cost of Rs.25,000/-, to the Advocates' Association of Western India Generation Next Fund, Mumbai, within a period of two weeks from the date of uploading of present Order on the official website of Bombay High Court.

Details of the bank account for payment of cost are as under:-

Account Name	:-	Advocates' Association of Western India Generation Next.
Account Number	:-	000110110007807
Bank Name	:-	Bank of India.
Branch Name	:-	Mumbai Main.
IFSC Code	:-	BKID00000001

Applicants and Respondent No.2 to deposit the said cost as directed above within stipulated period as noted above and submit receipts of the same in the Registry of this Court.

7. In view of above and subject to payment of cost, application is allowed in terms of prayer clause (a).

8. It is made clear that, if the cost is not paid within the stipulated period as mentioned above, application shall stand revived automatically and in that event, the investigating agency shall complete the investigation of present crime expeditiously.

9. List the application on board on 29th November 2023, under the caption 'for reporting compliance' of present Order.

(SHARMILA U. DESHMUKH, J.)

(A.S. GADKARI, J.)