

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

CRIMINAL APPLICATION NO. 1042 OF 2023

1. Mohsin Mushtaq Khan
2. Faiyaz Ali Khan ...Applicants

Versus

1. The State Of Maharashtra
2. Susheel Jangira ...Respondents

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Mr.Shreyansh Mithare a/w Ms. Priya Gupta, Advocate for the Applicants.

Mr. Karansingh Rajput, Advocate for Respondent No.2.

Mrs. M. M. Deshmukh, Addl. PP. for the Respondent – State.

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**CORAM : PRAKASH D. NAIK, &
N. R. BORKAR, JJ.**

DATE : 22nd DECEMBER, 2023.

P.C.:

1. The Applicants are challenging the charge-sheet arising out of First Information Report (for short 'FIR') dated 12th April 2023 registered with Oshiwara Police Station, Mumbai for offences punishable under Sections 354, 509, 504, 506 & 323 r/w Section 34 of Indian Penal Code (for short "IPC").

2. It is jointly submitted that the parties have resolved the dispute. The complainant has no objection for quashing the proceedings. The Applicant No.1 has executed the Affidavit-cum-

undertaking. Consent Terms are executed between Respondent No.2 and Applicant No.2. Documents are taken on record.

3. The Respondent No.2/Complainant is present in the Court. She has no objection for quashing the proceedings.

4. Considering the fact that the parties have resolved the dispute and executed documents of consent, the impugned proceedings can be quashed.

ORDER

- i. Criminal Application No.1042 of 2023 is allowed;
- ii. Criminal Proceedings in C.C. No.PW/3582/2023 pending before the learned Metropolitan Magistrate, Railway Court at Andheri, Mumbai which are arising out of FIR No.329 of 2013 registered with Oshiwara Police Station, Mumbai is quashed and set aside.
- iii. The Applicants shall pay cost of Rs.25,000/- each to Advocates Association of Western India Generation Next within a period of three weeks from today. The Account details are as under:

Account Name	: Advocates Association of Western India Generation Next
A/c No.	: 000110110007807
Bank Name	: Bank of India
Branch Name	: Mumbai Main
IFSC Code	: BKID0000001

iv. The receipt of payment of cost be produced in the Registry of this Court.

v. Application stands disposed of accordingly.

(N. R. BORKAR, J.)

(PRAKASH D. NAIK, J.)