

IN THE HIGH COURT OF JUDICATURE AT BOMBAY**CRIMINAL APPELLATE JURISDICTION****CRIMINAL APPLICATION NO. 1581 OF 2023**

Ankush Ramdas Mane & Ors.

... Applicants

V/s.

State of Maharashtra & Anr.

...Respondents

Mr. D. V. Sutar, a/w. Darshana Lalitkumar, and Deepak Jain, for the Applicants.

Mr. A. S. Patil, APP, for Respondent-State.

Ms. S. Waghmare, for Respondent No.2.

**CORAM : A. S. GADKARI AND
SHYAM C. CHANDAK, JJ.**

DATE : 20th DECEMBER, 2023.

P.C.:-

1) Applicants, accused in C.R. No. 611 of 2023 dated 5th October, 2023 registered with Vadgaon Police Station, District- Kolhapur under Sections 39 and 45 of Maharashtra Money Lending (Regulation) Act, 2014 and under Sections 452, 506 read with 34 of Indian Penal Code, have invoked jurisdiction of this Court under Section 482 of Code of Criminal Procedure, for quashing of the said crime, with the consent of Respondent No.2, first informant.

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

2) Learned Advocate for the Applicants submitted that, the Applicants and the Respondent No.2 have amicably settled their disputes and differences. The first informant has already paid the entire subject

amount to the Applicants. The Applicants have accepted that amount and have no complaint against Respondent No.2. The Respondent No.2 has filed an Affidavit dated 'Nil', duly affirmed on 19th December, 2023, before a Notary Public, at Mumbai, giving his consent for quashing of the crime in question.

2.1) That, the Respondent No.2 is present in the Court and through his Advocate, reiterates contents of the said Affidavit and has no objection for quashing the said crime in question.

3) In view of the above, we are inclined to quash C.R. No. 611 of 2023 dated 5th October, 2023 registered with Vadgaon Police Station, District- Kolhapur.

3.1) As we expressed our opinion for quashing of the said C.R. No. 611 of 2023, dated 5th October, 2023 registered with Vadgaon Police Station, District- Kolhapur, learned Advocate for the Applicants on instructions submitted that, the Applicants will pay a cost of Rs. 15,000/- each totalling to Rs. 45,000/- to Advocates' Association of Western India Generation Next Fund, Mumbai, within a period of two weeks from today. The said statement is accepted as an undertaking to this 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 :- BKID0000001.

3.2) We direct the Applicants to pay said cost of Rs.45,000/-to Advocates' Association of Western India Generation Next Fund, Mumbai, within a period of two weeks from the date of uploading of the Order on the official website of Bombay High Court.

3.3) Applicants to pay the said cost within stipulated period as noted above and submit the receipts of the same in the Registry of this Court.

4) In view of the above and subject to payment of cost by Applicants, Application is allowed in terms of prayer clause (a).

5) It is made clear that, if the cost is not paid by either of the parties within stipulated period as mentioned above, the Application shall stand revived automatically and in that event, the police will proceed with investigation of the said case expeditiously.

6) List the Application on 8th January, 2024 under the caption '*for reporting compliance*' of present Order.

7) All the concerned to act on the basis of an authenticated copy of this Order.

(SHYAM C. CHANDAK, J.)

(A. S. GADKARI, J.)