

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION (APL) NO. 13 OF 2024

Punit Balmukund Deora ...Applicant
Versus
The State Of Maharashtra And Anr ...Respondents

Mr.Shailendra Singh a/w Aarti Yadav Advocate for Applicant.
Mr.Prabhat Kumar J Dubey Advocate for Respondent No.2.
Mrs. Rutuja Ambekar, APP for Respondent-State.

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

DATE : 21st FEBRUARY 2024

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P.C.:-

1. Applicant is challenging the charge-sheet arising out of FIR dated 10th March 2011 registered with L.T. Marg Police Station, Mumbai, for offences under Sections 408, 420, 465, 467, 468, 471 of the Indian Penal Code, 1860.
2. The case of the complainant is that, the accused had misused the blank cheque by inserting the amount of Rs.10,00,000/- and 18,00,000/- respectively on two cheques. It is not in dispute that, signature of the drawer of the cheque was not fabricated.
3. Parties have resolved their dispute. Consent terms are executed between Applicant and Respondent No.2. In the consent terms, it is stated

that, FIR registered vide C.R. No.61 of 2021 with L. T. Marg Police Station and Criminal Proceedings bearing Case No.472/PW/2011 pending on the file of learned Metropolitan Magistrate, 28th Court Esplanade, Mumbai will be quashed and set aside in terms of settlement.

4. Respondent No.2 is present through V.C.. He Has no objection for allowing the application and quashing the proceedings. He has filed affidavit expressing his consent for quashing impugned proceedings.

5. Considering the nature of dispute and the fact that, parties have resolved their differences and agreed for quashing the impugned proceedings, prayer for quashing the impugned proceedings can be granted.

ORDER

- (i) Criminal Application No.13 of 2024 is allowed.
- (ii) Criminal Proceedings in C.C.No.472/PW/2011 pending on the file of learned Metropolitan Magistrate, 28th Court Esplanade, arising out of FIR No.61 of 2021 with L. T. Marg Police Station are quashed and set aside.
- (iii) The Applicant shall pay the cost of Rs.25,000/- (Rupees Twenty Five Thousand Only) to Advocates' Association of Western India Generation Next within a period of two weeks from today and submit the receipt of the same in the Registry of this Court. The details of the Bank Account for payment of costs 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

(iv) Application stands disposed off.

(N. R. BORKAR, J.)

(PRAKASH D. NAIK, J.)