

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
CRIMINAL APPLICATION NO. 172 OF 2024**

Alok Shashikant Dhanuka and Anr.	...	Applicants
Versus		
The State of Maharashtra and another	...	Respondents

.....

Mr. Vaibhav R. Shah for Applicants.
Mr. Anand S. Shalgaonkar, APP for the State.
Mr. Yusuf S. Mithi, for Original Complainant.

.....

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

DATED : 26th FEBRUARY 2024

P.C. :-

1. Not on Board. Taken on Production Board.
2. The Applicants are arraigned as accused in CR No. 742 of 2023 registered with Kandivali (West) Police Station, Mumbai on 14th October, 2023 for the offences under Section 406, 420 r/w. 34 of IPC. Subsequently Section 423 of IPC was added.
3. The grievance of the Complainant is that he was induced to transport the goods and pursuant to that charges to the tune of Rs.10,00,000/- were not paid to the Complainant.
4. The parties have resolved the dispute amicably. The Complainant is present in the Court. He has expressed his consent for quashing the First Information Report.
5. The affidavit filed by the Complainant is taken on record. In the affidavit, it is stated that the offence was registered on account of misunderstanding and now the dispute is amicably resolved and consent terms are submitted before the Additional Chief Metropolitan Magistrate,

17th Court at Borivali. The Complainant has received an amount of Rs.10,00,000/- vide Demand Draft bearing No.211875 dated 30th December, 2023 and amount of Rs.8,40,000/- is agreed to be given at the time of quashing the FIR. The consent terms are signed by Accused No.2 on behalf of other Accused.

6. It is submitted that Rs.8,40,000/- is handed over to the Complainant.

7. Considering the nature of dispute and the fact that the parties have settled the dispute amicably, the proceedings can be quashed.

ORDER

- (i) Criminal Application No. 172 of 2024 is allowed.
- (ii) The First Information Report bearing No. 742 of 2023 registered with registered with Kandivali (West) Police Station, Mumbai on 14th October, 2023 is quashed and set aside.
- (iii) The Applicant shall pay the cost of Rs.50,000/- to Advocates' Association of Western India Generation Next within a period of three weeks from today and submit the receipt of the same in the Registry of this Court. The details of the bank account for payment are as under:

Account Name	:	Advocates' Association of Western India.
Account Number	:	000110110007807
Bank Name	:	Bank of India
Branch Name	:	Mumbai Main Branch
IFSC Code	:	BKID0000001

(N.R. BORKAR, J.)

(PRAKASH D. NAIK, J.)