

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

WRIT PETITION NO. 1222 OF 2010

Corporation Bank and Anr.	..Petitioners
Vs.	
The Commissioner of Pune Municipal Corporation and Anr.	..Respondents

Mr. Anant B. Shinde, for the Petitioners.
Mr. A. P. Kulkarni, for the Respondent – Corporation.
Ms. Shilpa Talhar, APP for the Respondent – State.

**CORAM : R. N. LADDHA, J.
DATE : 2 APRIL 2024**

P.C.

. Heard learned counsel for the parties.

2. A process has been issued alleging commission of an offence punishable under Section 398 of the Bombay Provincial Municipal Corporation Act, 1949.

3. The learned counsel for the parties jointly submit that this petition can be disposed of by quashing the order of issuance of process and the proceedings of Criminal Case No.238/2009 pending before the learned Judicial Magistrate First Class Pune as

the petition is covered by the judgment and order of the Supreme Court dated 26 July 2023 in Civil Appeal No.8834/2011 with connected appeals. The learned counsel for the petitioners submits that the requisite octroi has already been paid by the petitioners. He also states that the petitioner herein i.e. Corporation Bank has been merged into the Union Bank of India.

4. In view of this, the petition stands allowed and the issuance of process order passed by the learned Judicial Magistrate First Class (PMC), Pune in Criminal Case No.238 of 2009 is quashed and set aside.

R. N. LADDHA, J.