

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

CRIMINAL WRIT PETITION NO. 3598 OF 2023

Deepak Kansara And Anr. ...Petitioners

Versus

State Of Maharashtra And Anr. ...Respondents

....

Ms. Sushmita Sherigar, Advocate for the Petitioners.

Mr. Naveen Sharma, Advocate for Respondent No.2.

Ms. S.P. Phad, APP for Respondent – State.

PSI, S.K. Ghuge, V.P. Road Police Station.

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

DATE : 8th MARCH, 2024.

P.C.:

1. The Petitioners are challenging the First Information Report dated 15th March, 2023 registered with V.P. Marg, Police Station pursuant to direction issued by learned Magistrate in the private complaint filed by Respondent No.2 under Section 156(3) of Cr.P.C. The offences were registered under Sections 406, 420, 465, 467, 468, 470 r/w 34 of Indian Penal Code (for short 'IPC').

2. It is jointly submitted that the parties have resolved the dispute. The parties have executed consent terms. The amount of Rs.11,00,000/- has been parted to the complainant.

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3. The complainant is present in the Court. He has no objection for quashing of the First Information Report in view of the settlement. He is represented by Advocate. The affidavit executed by the complainant is placed on record. In the affidavit it is stated that as per consent terms he has received the entire amount as agreed between the parties. The affidavit is taken on record. Considering the fact that it was a dispute only between the Petitioners and complainant which has been resolved. The impugned proceedings can be quashed.

ORDER

- i. Criminal Writ Petition No.3598 of 2023 is allowed;
- ii. The proceedings in FIR No. MECR 1 of 2023 registered with V.P. Marg Police Station, Mumbai are quashed and set aside.
- iii. The Petitioners shall pay cost of Rs.15,000/- 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. Petition stands disposed of accordingly.

(N. R. BORKAR, J.)

(PRAKASH D. NAIK, J.)