

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL WRIT PETITION NO.5751 OF 2018

WITH

INTERIM APPLICATION NO.902 OF 2024

AND

INTERIM APPLICATION NO.2044 OF 2023

Dr. Amardas Maniram Patil and Ors.

.....Petitioners/Applicants

Vs.

Milind Vishnu Koli and Ors.

.....Respondents

Mr.R.S.Apte – Senior Advocate a/w Mr.S.S.Butala – Advocate for the Applicants / Petitioners.

Mr.Girish Godbole – Senior Advocate a/w Mr.Atharva Dandekar i/b. Mr.Atharva Dandekar – Advocate for Respondent No.1.

Mr.Girish Godbole – Senior Counsel a/w Ms.Ayushi Anandpara, Mr.Parag Kabadi, Mr.Siddharth Shah i/b.DSK Legal – Advocates for Respondent No.2. Mr.J.P.Yagnik – APP for Respondent No.3 – State.

**CORAM : A. S. GADKARI AND
S. M. MODAK, JJ.**

DATE : 7th MARCH, 2024.

PC.:-

1) Admittedly, after completion of investigation, the Police have submitted charge-sheet in the Court of Judicial Magistrate First Class (Court No.2) Thane, on 14th September, 2020.

2) Petitioners therefore are having alternate statutory remedy

under the provisions of Cr.P.C. before the trial Court.

- 3) By reserving alternate remedy, Petition is disposed off.
- 4) All the contentions of both the parties are kept open.
- 5) In view of the disposal of Writ Petition No.5751 of 2018 itself, Interim Application No.2044 of 2023 and Interim Application No.902 of 2024 do not survive and are accordingly disposed off.
- 6) Mr.Godbole, learned senior counsel appearing for the Respondent Nos.1 and 2, on instructions submitted that, though the Petition is disposed off, the said Respondents are still ready and willing to perform their part of obligation as recorded in Order dated 22nd April, 2022. He submitted that, the said Respondents will adopt the process of mediation, provided the Petitioners herein co-operate in it. Mr.Godbole on instructions further made a statement that, the Respondent Nos.1 and 2 will bear the necessary charges for mediation and the Petitioners herein need not pay for the same.
- 6.1) We therefore keep the said option of mediation expressly open for the parties as per the Order dated 22nd April, 2022.

(S. M. MODAK, J.)

(A.S. GADKARI, J.)