

IN THE HIGH COURT OF JUDICATURE AT BOMBAY**CRIMINAL APPELLATE JURISDICTION****CRIMINAL WRIT PETITION NO. 2886 OF 2024**

Manmohan Desraj Anand

.....Petitioner

Vs.

The State Of Maharashtra & Anr.

.....Respondents

Mr. Abhishek Pungliya for the Petitioner.

Smt. M.H. Mhatre, APP, for the Respondent-State.

Mr. Abhijeet F. Khade i/by Adv. Satyajeet P. Dighe for the Respondent No.2.

**CORAM : A. S. GADKARI AND
DR. NEELA GOKHALE, JJ.****DATE : 18th JULY, 2024.****PC:-**

1) Petitioner, accused in R.C.C. No.1693 of 2019 pending on the file of 8th Joint Civil Judge, J.D. and J.M.F.C., Pune arising out of C.R. No.756 of 2018 dated 17th October, 2018 registered with Yerwada Police Station, Pune City, under Sections 454, 380 and 448 of the Indian Penal Code, has filed present Petition for quashing of the said case with the consent of Respondent No.2, the informant.

2) Mr. Pungliya, learned Advocate for the Petitioner submitted that, the Petitioner and Respondent No.2 have now settled their disputes and differences amicably and Respondent No.2 has given his consent for quashing of the said crime. He therefore prayed that, the said crime may be quashed with consent of Respondent No.2.

3) Learned Advocate for the Respondent No.2 submitted that, Respondent No.2 has filed an Affidavit dated 4th July, 2024, duly affirmed before the Assistant Registrar of this Court. That, the Respondent No.2 has admitted the fact of amicable settlement in it. It is stated that, in Arbitration Appeal No.10 of 2015 and Civil Revision Application No.238 of 2008, Consent Terms dated 17th April, 2024 have been filed and in view thereof, Respondent No.2 is giving his consent for quashing of the said case. In paragraph No.6 thereof, he has given his no objection for quashing of the present case.

3.1) Respondent No.2 is personally present in the Court and through his Advocate reiterates the contents of his Affidavit dated 4th July, 2024 and his 'no objection' for quashing of the crime in question.

4) In view thereof, we are inclined to quash R.C.C. No.1693 of 2019 pending on the file of 8th Joint Civil Judge, J.D. and J.M.F.C., Pune arising out of C.R. No.756 of 2018 registered with Yerwada Police Station, Pune City.

5) As we expressed our opinion for quashing of said R.C.C. No.1693 of 2019 pending on the file of 8th Joint Civil Judge, J.D. and J.M.F.C., Pune arising out of C.R. No.756 of 2018 registered with Yerwada Police Station, Pune City, learned Advocate for the Petitioner on instructions submitted that, the Petitioner will pay a cost of Rs.50,000/- to the Central

Police Welfare Fund within a period of two weeks from the date of uploading of present Order on the official website of Bombay High Court.

The said statement is accepted as an undertaking given to this Court.

5.1) We therefore direct the Petitioner to pay cost of Rs.50,000/- to the Central Police Welfare Fund within a period of two weeks from the date of uploading of the present Order on the official website of Bombay High Court.

5.2) The details of the bank Account for payment of cost are as under:-

Bank Name :- Axis Bank Limited.

Branch Name :- Worli, Mumbai, Mumbai-400 025

Account Name :- Central Police Welfare Fund

Account Number :- 914010029005759

IFSC Code :- UTIB0000060

5.3) Petitioner to deposit the said cost of Rs.50,000/- within stipulated period as noted above and submit the receipt of the same in the Registry of this Court.

6) In view of above and subject to payment of cost, Petition is allowed in terms of prayer clauses (a) and (b).

7) It is made clear that, if the cost is not paid within stipulated period as mentioned above, the Petition shall stand automatically revived and in that event, the trial Court will proceed with the case expeditiously.

- 8) List the Petition on 8th August, 2024, under caption '*for reporting compliance*' of present Order.
- 9) All the concerned to act on the basis of an authenticated copy of this Order.

(DR. NEELA GOKHALE, J.)

(A.S. GADKARI, J.)

SANJIV
SHARNAPPA
MASHALKAR

Digitally signed
by SANJIV
SHARNAPPA
MASHALKAR
Date: 2024.07.24
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