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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
CRIMINAL APPLICATION NO.592 OF 2024

Ravindra Anant Worlikar

.....Applicant

Vs.

The State Of Maharashtra & Ors.

.....Respondents

Mr. D. T. Tiwari, i/b. Mr. R. M. Upadhyay, for the Applicant.

Smt. M. H. Mhatre, APP, for Respondent No.1-State.

Mr. Swatesh Tripathi, for Respondent No.2.

CORAM : A. S. GADKARI AND
DR NEELA GOKHALE, JJ.

DATE : 24th JUNE, 2024.

PC.:-

- 1) Leave to amend to delete Respondents No.3 and 4 from array of Respondents. Amendment be carried out forthwith.
- 2) Petitioner, accused in C.C.No.278/PW/2023 pending on the file of 60th Metropolitan Magistrate Court, Kurla, Mumbai arising out of C.R.No.530 of 2022 registered with Trombay Police Station, Mumbai under Sections 417, 420, 465, 468 and 471 of the Indian Penal Code has filed the present Application under Section 482 of the Cr.P.C. for quashing of the said case with the consent of Respondent No.2, the informant.
- 3) Learned Advocate for the Applicant submitted that, Applicant and Respondent No.2 have now settled their disputes and differences amicably and the Applicant has paid a total sum of Rs.6,00,000/- to the Respondent No.2 as full and final settlement. That, in view of the amicable settlement between the parties, the said case be quashed.

4) Learned Advocate for Respondent No.2 tendered across the bar her Affidavit dated 24th June 2024 duly affirmed before the Assistant Registrar of this Court. In paragraph Nos.4, 5 and 6 thereof, the Respondent No.2 has admitted the facts of amicable settlement as noted in the foregoing paragraph. In paragraph 10 thereof, the Respondent No.2 has given her no objection for quashing of the crime in question.

4.1) Respondent No.2 is personally present in Court and through her Advocate reiterates the contents of her Affidavit dated 24th June 2024 and her 'no objection' for quashing the crime in question.

5) In view thereof, we are inclined to quash CC No.278/PW/2023 pending on the 60th Metropolitan Magistrate Court, Kurla, Mumbai arising out of CR No.530 of 2022 registered with Trombay Police Station, Mumbai for the offenses punishable under Sections 417, 420, 465, 468 and 471 of the Indian Penal Code.

6) As we expressed our opinion for quashing of the said case, learned Advocate for Applicant on instructions submitted that, the Applicant will pay a cost of Rs.50,000/- to the Advocates' Association of Western India Generation Next Fund, Mumbai, within a period of two weeks from the date of uploading of Order. The said statement is accepted as an undertaking given to this Court.

7) We therefore direct the Applicant to pay a cost of Rs.50,000/- to the Advocates' Association of Western India Generation Next Fund,

Mumbai, within a period of two weeks from the date of uploading of present Order on the official website of Bombay High Court.

7.1) Details of the bank account for payment of cost are as under :-

Account Name :- Advocates Association of Western India Generation Next.

Account Number :- 000110110007807.

Bank Name :- Bank of India.

Branch Name :- Mumbai Main.

IFSC Code :- BKID0000001.

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

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

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

10) List the Petition on board on 22nd July 2024, under caption 'for reporting compliance' of present Order.

(DR NEELA GOKHALE, J.)

(A.S. GADKARI, J.)