



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD
CRIMINAL APPLICATION NO. 1042 OF 2025
IN REVN/266/2024

Shaikh Shoeb Shaikh Zakir

Versus

Shaikh Zakir Shaikh Zaheer

WITH

CRIMINAL REVISION APPLICATION NO. 266 OF 2024

Shaikh Zakir Shaikh Zaheer

Versus

Shaikh Shoeb Shaikh Zakir

Mr. Sayyed Tauseef h/f Mr. Mohammed Imran Ahmed for the Applicant.

CORAM : ADVAIT M. SETHNA, J.

DATE : 25 JULY 2025

P. C.:

1. By this Criminal Revision Application, the Applicant has assailed the judgment and order of conviction dated 6 April 2022 in SCC No.1953 of 2017, passed by the learned Judicial Magistrate First Class, Aurangabad and judgment and order dated 24 September 2024, passed by the District Judge and Additional Sessions Judge, Aurangabad in Criminal Appeal No.58 of 2022 confirming the earlier judgment/order of the Judicial Magistrate First Class sentencing the Applicant to suffer simple imprisonment for one month with further direction to pay compensation of Rs.4 lakhs.

2. During the pendency of the Criminal Revision Application, the parties thereto i.e. the revisionist Applicant and the Respondent have entered into a settlement. Such settlement terms are placed on record by the

respective Advocates representing the respective parties. The consent terms are dated 25 July 2025, drawn at Aurangabad. With the assistance of learned Advocates for the parties, such consent terms are perused. They are duly signed by the respective parties as also by the Advocates for the parties respectively. There appears to be no dispute in the signatures of parties so appended on the consent terms. The consent terms also contains a verification clause which is duly signed and verified by the deponent in the Criminal Revision Application i.e. the Applicant as well as by the Respondent respectively and their signatures in such verification have also been identified by their respective Advocates.

3. It is submitted by the respective Advocates for the parties that the said consent terms have been read out to the parties. They have understood the contents thereof. Both the parties are present in Court today.

4. Pursuant to the above, the parties through their respective Advocates have also agreed that the original complainant i.e. the Respondent herein shall be permitted to withdraw the amount of Rs.3,60,000/- (Rupees Three Lakh Sixty Thousand Only) which is lying deposited with the Registry of the District and Sessions Court, Aurangabad (Trial Court) by making an appropriate application in this regard. Thus as recorded, *inter alia*, in paragraph 10 of the said consent terms, the judgment and order of the JMFC Aurangabad in SCC No.1953 of 2017 dated 6 April 2022 convicting the Applicant duly confirmed by the Sessions Judge in

Criminal Appeal No.58 of 2022 by judgment/order dated 24 September 2024 are hereby quashed and set aside.

5. Accordingly, the Criminal Revision Application No.266 of 2025 is **Allowed** in terms of the consent terms, the original of which is taken on record and marked 'X' for identification. The pending Applications in these proceedings, if any, would not survive in light of the above and are accordingly **Dismissed**.

[ADVAIT M. SETHNA, J.]