

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
CRIMINAL APPLICATION NO.1069 OF 2019

Rajendra Honmare & Ors. ...Applicants
Versus
The State of Maharashtra & Anr. ...Respondents

WITH
CRIMINAL APPLICATION NO.01 OF 2024

Rajendra Honmare & Ors. ...Applicants
Versus
The State of Maharashtra & Anr. ...Respondents

Ms. Sonali R. Chavan i/b. Dr. Uday P. Warunjikar and Mr. Sumit S. Kate, for the Applicants in APL/1069/2019 and APL/01/2024.
Mr. Dilip Bodake, for the Respondents in APL/1069/2019 and for the Respondent No.2 in APL/01/2024..
Mr. D. J. Haldankar, APP, for the Respondent-State in APL/1069/2019 and APL/01/2024.
Mr. Rajendra Honmare, the Applicant No.1 (present through V.C.) in APL/1069/2019.
Mr. Khanderao Shinde, the Applicant No.2 (present through V.C.) in APL/1069/2019.
Mr. Vaijanath Jaguste, the Applicant No.3 (present through V.C.) in APL/1069/2019.
Mr. V. V. Rajshekhar, the Applicant No.4 (present through V.C.) in APL/1069/2019.
Ms. Sumalata Rajshekhar, the Applicant No.5 (present through V.C.) in APL/1069/2019.
Mr. Abhijeet Mane, the Respondent No.2 (present through V.C.) in APL/1069/2019.
Ms. Chitra Abhijit Mane, the Respondent No.2 (present through V.C.) in APL/01/2024.

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CORAM: MADHAV J. JAMDAR, J.
DATED : 9th JUNE 2025

P. C.:

1. By the present Criminal Applications, the Applicants are seeking the following reliefs:

Reliefs in Criminal Application No.1069 of 2019:

“a) This Honourable Court be pleased to call for the record and proceeding of the Order below Exhibit 1 passed by the learned 6th Judicial Magistrate First Class, Satara dated 11.7.2019 in Criminal Misc. Application No.463 of 2018 and after going through the same and satisfying about the legality, validity and propriety of the same be pleased to quash and set aside the same by invoking the powers under Section 482 of Cr.PC. and/or 227 of the Constitution of India, 1950.”

Reliefs in Criminal Application No.01 of 2024:

“a) This Honourable Court be pleased to call for entire record and proceeding of the RCC No.420 of 2019 and Order below Exhibit 1 passed by the learned 6th Judicial Magistrate First Class, Satara dated 15/07/2022 in RCC NO.420 of 2019 and after going through the same and satisfying about the legality, validity and propriety of the same be pleased to quash and set aside the same by invoking the powers under Section 482 of Cr.PC.”

2. By the order dated 4th October 2024, a learned Single Judge had directed both the parties to appear before the Mediation

Centre for exploring the possibility of settlement. Accordingly, Officer on Special Duty, (Mediation Centre), Bombay High Court, Mumbai has submitted a report dated 5th May 2025 along with report of Ms. Sheela S. Balsari, Advocate and Mediator stating that the parties have settled the dispute and the Consent Terms signed by the parties are annexed to the said Mediation Report.

3. All the parties are present through V.C. and all of them state that both these Criminal Applications are settled in terms of the Consent Terms.

4. Accordingly, the said Mediation Report alongwith the Consent Terms are taken on record and marked 'X' for identification. The said Consent Terms read as under:

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO. 1069 OF 2019

ALONGWITH

CRIMINAL APPLICATION NO. 01 OF 2024

1. Mr Rajendra Humare,
2. Khanderao Tukaram Shinde,
3. Shri Varjanath Eknath Jaguste,
4. Shri V.V.Rajshekhar
5. Smt. Sumalata V. Rajshekhar ...Applicants
- Versus
1. Abhijeet Ganpatrao Mane
2. Chitra Abhijeet Mane ...Respondents

**CONSENT TERMS BETWEEN THE APPLICANTS AND
THE RESPONDENT NO. 1 & 2 HEREIN.**

1. Applicants No. 1 to 5 herein are the Applicant no.1,2,3,4 & 5 respectively in both above referred criminal applications. However, Respondent No. 1 herein namely Abhijeet Ganpatrao Mane is shown as Respondent No.2 in Criminal Application No. 1069 of 2019 and the Respondent No. 2 herein namely Mrs. Chitra Abhijeet Mane is shown as Respondent No. 2 in Criminal Application No. 01 of 2024.

2. The applicants herein submits that, applicant herein has filed above referred Criminal Application bearing no. 1069 of 2019 being aggrieved by the issue process order dated 11/07/2019 passed by the Ld. JMFC Court at Satara in RCC no. 322 of 2019 filed by the Respondent No. 1 mentioned herein.

3. The applicants herein submits that, applicant herein has filed above referred Criminal Application bearing no. 01 of 2024 being aggrieved by the issue process order dated 15/07/2022 passed by the Ld. JMFC Court at Satara in RCC no. 420 of 2019 filed by the Respondent No. 2 mentioned herein.

4. The Applicants herein and Respondent No. 1 & 2 herein are resolved their dispute and agreed for present consent terms through mediation before the Ld. Mediator as per order passed by this Honourable High Court (Comm: Honourable Justice Sarang V. Kotwal) dated 04/10/2024 in Criminal Application No. 1069 of 2019, both the parties have been appeared before the Ld. Mediator and Applicants and the Respondent no. 1 & 2 have settled the matter on the terms and conditions as mentioned herein below.

5. The present Applicants and the Respondent No. 1 & 2 herein has amicably settled matter for the total amount of Rs. 14,00,000/- (Forteen Lakh only) and scheduled of the payment is mentioned below:

A. This Honourable High Court be pleased to allow the Respondent No. 1 and 2 to withdraw the said amount deposited before the Ld. District Consumer Forum, Satara by submitting the certified copy of this consent terms.

B. The Applicants herein are giving consent to Respondent no. 1 & 2 to withdraw the sum of Rs. 11,72,595 (Eleven Lakh, Seventy Two Thousand Five Hundred and Ninty Five only) including the interest occurred on amount of Rs.7,18,750 (Seven Lakh and eighteen Thousands, seven hundred and fifty only) which is deposited before the District Consumer Forum Satara wide order date 23/02/2017 passed by the Honourable Presiding Judicial Member of the State Consumer Commission in Miscellaneous Application No. MA/16/633 in Appeal No. A/16/3098. Copy of the bank statement showing details of amount mentioned herein is annexed herewith and marked as **Exhibit-A**.

C. The Applicants herein are further agreed to pay sum of Rs. 2,28,000 (Two Lakh and Thirty Thousands only) to the Respondent No. 1 & 2 Through a DD on the name of Respondent No. 1 & 2. The Respondent no. 1 & 2 herein are agreed to accept the said amounts from the Applicants and to give their free consent for quashing of the said private complaints bearing Regular Criminal Case No. 322/2019 before the Ld. JMFC Court at Satara filed by the Respondent No. 2 herein and Regular Criminal Case No. 420/ 2019 before the Ld. JMFC Court at Satara filed by the Respondent No. 3 herein. Applicants herein are agreed that, said 4 DD will handover to the Respondent No. 1 & 2 herein by the Applicants at the time of signing present consent terms.

D. The Applicant No. 1 namely Mr. Rajendra Honmare herein made DD for amount of Rs. 57,000/- (Fifty Seven Thousand) on the name of Respondent No. 1 namely Mr. Abhijeet Ganpatrao Mane. The Applicant No. 2 namely Mr. Khanderao Shinde made DD for amount of Rs. 57,000/- (Fifty Seven Thousand) on the name of Respondent No. 2 namely Mrs. Chitra Abhijeet Mane. The Applicant No. 3 namely Mr. Vajjnath Jugushte made DD for amount of Rs. 57,000/- (Fifty Seven Thousand) on the name of Respondent No. 2 namely Mrs. Chitra Abhijeet Mane. The Applicant No. 4 namely Mr. V.V.Rajshekhar and S.Sou. Sumalata V. Rajshekhar made DD for amount of Rs. 57,000/- (Fifty Seven Thousand) on the name of Respondent No. 1 namely Mr. Abhijeet Ganpatrao Mane. It is further agreed between the parties that, Respondent No. 1 and 2 herein will deposit above mentioned four DD's given by Applicants in their respective Bank Account after passing of quashing order by this Honourable High Court in Above mentioned both Criminal Application No. 1069 of 2019 and Criminal Application No. 01 of 2024. Photocopy of the above referred four DD's are attached herewith this Consent Terms and marked as **Exhibit-B.**

E. Respondent No. 1 and 2 herein are agreed that, after receipt of the full and final settlement amount for sum of Rs. 14,00,000/- (Forteen Lakh only) deemed to have been quashed

6. Applicants herein are agreed to withdraw the Appeal No. A/16/3098 alongwith Miscellaneous Applications if any filed before the State Consumer Commission by the present Applicants herein against the Respondent No. 2 herein within 15 days of filing this consent terms before this Honourable High Court.
7. Both the Applicants and the Respondent no. 1 & 2 herein are pray to the Hon'ble High Court to quash the Regular Criminal Case No. 322/2019 before the Ld. JMFC Court at Satara filed by the Respondent No. 1 herein and Regular Criminal Case No. 420/2019 before the Ld. JMFC Court at Satara filed by the Respondent No. 2 herein on the aforesaid terms and conditions.
8. It is further agreed between the parties that, the Respondent No. 1 and 2 withdraw all the allegations made against the present Applicants and not to file any claim/complaint before any Authority, Tribunal or any Court of Law against the present Applicants in future.
9. It is agreed between the parties that Applicants and the Respondent No. 1 & 2 herein shall withdraw all the allegations made against each other.
10. The Respondent no. 1 & 2 shall not sue or prosecute the Applicants any further in respect of the offences alleged in the private complaints and after the same, both the parties will have no claims against each other.

11. This Consent Terms cannot be used as precedent in any other case against the present Applicants.

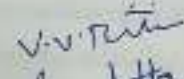
Dated: thisday of April, 2025.

Applicants

1) Mr Rajendra Honmare, 

2) Khanderao Tukaram Shinde, 

3) Shri Vaijanath Eknath Jaguste, 

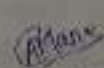
4) Shri V.V.Rajshekhar, 

5) Sou. Sumilata V. Rajshekhar, 

Advocate for the Applicants

Respondents

1) Abhijeet Ganpatrao Mane, 

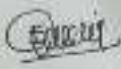
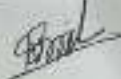
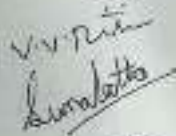
2) Chitra Abhijeet Mane, 

Advocate for the Respondent no. 1& 2.

11. This Consent Terms cannot be used as precedent in any other case against the present Applicants.

Dated: thisday of April, 2025.

Applicants

- 1) Mr Rajendra Honmare, 
- 2) Khanderao Tukaram Shinde, 
- 3) Shri Vijaynath Eknath Jagare, 
- 4) Shri V.V.Rajshekhar, 
- 5) Smt. Sumlata V. Rajshekhar, 

Advocate for the Applicants

Respondents

- 1) Abhijeet Ganpatrao Mane, 
- 2) Chitra Abhijeet Mane, 

Advocate for the Respondent no. 1 & 2.

Sheela Balsari
Mediator

MRS. SHEELA S. BALSARI
Advocate and Mediator
1334 ATLANTA, 9th FLOOR,
HARISMAN POINT, MUMBAI - 400 021

3/5/2025

5. Various statements recorded in the Consent Terms executed between the Applicants and the Respondent Nos.1 and 2 are accepted as undertakings given to this Court.

6. Accordingly, in view of the Consent Terms executed between the Applicants and the Respondent Nos.1 and 2, the Criminal Application No.1069 of 2019 and Criminal Application No.01 of 2024 are allowed in terms of prayer clause (a) and disposed of as such.

7. This Court places on record the appreciation of the efforts taken by Ms. Sheela S. Balsari, learned Advocate and Mediator.

[MADHAV J. JAMDAR, J.]