

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION**

CRIMINAL WRIT PETITION NO.6047 OF 2024

SATISH
RAMCHANDRA
SANGAR

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Date: 2025.08.01
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Arshad Navroj Tajani

...Petitioner

V/s.

The State of Maharashtra
(Through EOW, Solapur)

...Respondent

Mr.Niranjan Mundargi i/b. Ms.Keral Mehta:-	Advocate for Petitioner.
Ms.Sangita E. Phad:-	APP for Respondent – State.
Mr.Pratapsingh N. Dongare–PSI:-	Economic Offences Wing–Solapur City.

CORAM : S. M. MODAK, J.

DATE : 30th JULY 2025

P. C. :-

1. Heard learned Advocate Shri.Mundargi for the Petitioner / one of the Accused. He is facing prosecution for the offence under Section 406 of the Indian Penal Code, 1860 (“**IPC**”) and under Section 13 of the Maharashtra Ownership Flats (Regulation of The Promotion of Construction, Sale, Management and Transfer) Act, 1963 (“**MOFA**”). He was granted bail by the Court of Judicial Magistrate First Class – Solapur on 5th January 2021. The conditions at Sr.No.7&8 read thus:-

“7. *The accused shall surrender his passport to the Investigating officer, if any.*

8. *The accused shall not leave country without prior permission of the Court.”*

2. He had filed Criminal Revision Application No.38 of 2023, however, failed on 21st September 2023. That is why present Petition.

3. During the hearing, Mr.Mundargi made a submission that in all there are 3 buildings to be constructed. Out of them, construction of 1 building is over and possession is going to be handed over to the flat purchasers. Whereas, the construction of 2 buildings is also completed and copy of certificate is awaited.

4. It is true that the issue involved in this Petition is about “*sustainability of those two conditions*”. **Be that it may, if the Petitioner is ready to handover the possession after certain compliances and the flat purchasers are ready to accept the possession, there is a possibility that the matter can be settled finally.**

5. It is true there are several flat purchasers whose statements are recorded, so if the settlement has to take place, it should be with all the persons. Recently the Hon’ble Supreme Court has announced “*Mediation ‘For the Nation’ Campaign (90 days’ Mediation drive to settle pending cases in all the Taluka Courts, District Courts and High*

Courts of India)”. So an attempt can be made to settle the matter by referring to Mediation. It can be referred to the District Legal Services Authority – Solapur. Certain efforts need to be taken to call those flat purchasers. The Police can give their names to the learned Secretary – DLSA – Solapur.

6. In view of that, following order is passed:-

ORDER

- (i) **The dispute is referred to DLSA – Solapur.**
- (ii) Learned Secretary – DLSA – Solapur to appoint a suitable Mediator who is conversant with such sort of litigation.
- (iii) The Investigating Officer is directed to give the names and addresses of the flat purchasers whose statements are recorded in a tabular manner to the learned Secretary – DLSA – Solapur.
- (iv) Learned Secretary to issue notices to all them through the Investigating Officer.
- (v) **The Mediator can have interaction with those flat purchasers and the present Petitioner.**
- (vi) **The Secretary to be conscious of the Mediation Plan of the Hon’ble Supreme Court.**
- (vii) Learned Deputy Registrar – Main Mediation Centre to personally interact with the learned Secretary and give him guidance.
- (viii) Copy be sent to him.

7. In view of that, stand over to **14th August 2025**. To be listed for “**Compliance**”.

[S. M. MODAK, J.]