

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

CRIMINAL APPLICATION NO. 1017 OF 2024

1. Sohan Chainamal Jain

2. Piyush Sohan Jain

...Applicants

Versus

1. The State of Maharashtra

2. Sandeep Anant Patil

...Respondents

....

Mr. Krishna Holambe Patil a/w Mr. Nitin S. Murkute Advocate
for the Applicants.

Mr. Ashutosh Gavnekar a/w Ms. Savita Sawalkar i/by M/s.
Tamhane & Co for the Respondent No.2.

Mr. Sandeep Patil, Respondent No.2, present in person.

Mr. S. V. Walve, A.P.P. for the Respondent No.1 – State.

Mr. Parag Londhe (A.P.I.) Kharghar Police Station, Navi Mumbai,
present.

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CORAM : N. R. BORKAR, J.

DATE : 2nd APRIL, 2025

P.C.:

1. The applicants are accused in Crime No.63 of 2019 registered at Kharghar Police Station, District : Navi Mumbai for the offences punishable under Sections 406, 420, 504, 506 r/w Section 34 of the Indian Penal Code.
2. The applicants were released on bail on the condition of deposit of certain amount. By order dated 01.08.2024, the learned Additional Sessions Judge has cancelled the bail for non-compliance of the said condition.
3. The learned counsel for the applicants and the learned counsel for respondent No.2 submit that the applicants and the Respondent No.2 have settled the matter amicably. They have tendered the Consent Terms to that effect on record. The said Consent Terms are marked as 'X' for the purpose of identification. For ease of reference, the Consent Terms are scanned and reproduced herein below :

Tendered in Court
by
02/04/2024

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
IN ITS CRIMINAL APPELLATE JURISDICTION
CRIMINAL APPLICATION NO. 1017 OF 2024

IN
CRIMINAL MISC. APPLICATION NO.46 OF 2022

IN
R.C.C. NO.750 OF 2021

DISTRICT: ALIBAUG

Sohan Chainmal Jain & Anr.

... Applicants

Versus

The State of Maharashtra & Anr.

... Respondent

**CONSENT TERMS BETWEEN APPLICANTS AND
RESPONDENT NO.2.**

1. Agreed, declared, admitted and confirmed that Applicants and Respondent have amicably settled their dispute amicably in respect of C.R. No. I-63 of 2019 registered under Sections 406, 420, 504, 506 r/w. 34 of the Indian Penal Code, 1860, registered at the Respondent - Kharghar Police Station upon the complaint filed by the Respondent No.2 namely Mr. Sandeep Ananda Patil.

2. Agreed, declared, admitted and confirmed that the Applicant shall pay Lumpsum amount of **Rs.22,00,000/- (Rupees Twenty-Two Lakhs Only)** to the Respondent No.2 by way of full and final settlement of the dispute between them.

 Sohan Jain



3. The Police have filed Charge-Sheet before the concerned JMFC, Panvel vide R.C.S. No.750 of 2021. The same is pending before the Learned JMFC, Panvel for trial. It has been agreed that Respondent No.2 shall give consent for the purpose of quashing of the said R.C.S. No.750 of 2021 arising out of said FIR bearing C.R. No. I-63 of 2019 registered under Sections 406, 420, 504, 506 r/w. 34 of the IPC by Kharghar Police Station subject to the condition mentioned in clause 5(II) of the present Consent Terms.

4. Agreed, declared, admitted and confirmed that Respondent No.2 shall withdraw complaint vide CC/498/2018 unconditionally, pending before the Hon'ble State Consumer Forum.

5. Agreed, declared, admitted and confirmed that, the Applicants shall pay to the Respondent No.2 the amount of Rs. 22,00,000/- (Rupees Twenty-Two Lakhs) is as under: -

I. The Applicants herein shall give their irrevocable consent for withdrawal of the Amount of Rs.15,50,000/- (Rupees Fifteen Lakhs Fifty Thousand Only) along with interest accrued thereon deposited by the Applicants in JMFC Court, Panvel pursuant to order dated 20th November, 2021 passed by Judicial Magistrate First Class, Panvel A. S. Sonwalkar and subsequent orders passed by His Lordship Justice R. N. Laddha on 27th August, 2024 and 26th September, 2024 passed in present Application, in the name of Respondent No.2 herein i.e. Sandeep Ananda Patil.

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- II. Applicants hereto undertakes to pay remaining amount of Rs.6,50,000/- (Rupees Six Lakhs Fifty Thousand Only) shall be Paid through Demand Draft in the name of the Respondent No.2 i.e. Sandeep Ananda Patil at time of order of quashing of FIR of C.R. No. I-63 of 2019 registered under Sections 406, 420, 504, 506 r/w. 34 of the Indian Penal Code, by Kharghar Police Station upon the complainant filed by the Respondent No.2.
- III. The Applicants undertake to file and get circulated the Writ Petition for quashing the aforesaid complaint within two weeks form the date of filing these consent Terms and order passed pursuant thereto.
6. Agreed, declared, admitted and confirmed between both parties that the Respondent No.2 as well as his legal heir will not file any other claim in respect of Dispute involved in this crime in future.
7. Agreed, declared, admitted and confirmed by Applicants and Respondent No.2 that Criminal application be disposed of in view of consent terms.
8. The undertakings of the respective parties are accepted.
9. No order as to costs.
10. Parties to act on authenticated copy of the Order.

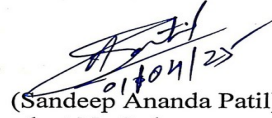
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11. Certified Copy expedited.
12. Liberty to apply.

Dated this 1st day of April, 2025.



(Sohan Chainmal Jain)


01/04/25

(Sandeep Ananda Patil)
Respondent No.2 abovenamed



(Piyush Sohan Jain)
Applicants abovenamed



(M/s. Tamhane & Co.)
Advocates for Respondent No.2



(K.K. Holambe Patil)
Advocates for the Applicants

4. In view of the above Consent Terms, the order passed by the learned Additional Sessions Judge dated 01.08.2024 is hereby quashed and set aside.

5. The application is disposed of in the aforesaid terms.

(N. R. BORKAR, J.)