

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

CRIMINAL APPLICATION NO. 405 OF 2022

Rusabh Vasant Shah ... Applicant
Versus
Pratik Lakhani And Anr. ... Respondents

WITH

CRIMINAL APPLICATION NO. 403 OF 2022

Rusabh Vasant Shah ... Applicant
Versus
Kumarpal Harshad Shah and Anr. ... Respondents

.....

Mr. Ajinkya Badar a/w Sampada Junnare-Badar, for the Applicant.

Mr. A. H.H. Ponda, Senior Advocate, i/b Akshay P. Bafna, for
Respondent No.1.

Ms. Anamika Malhotra, APP, for Respondent No.2-State.

.....

CORAM : PRITHVIRAJ K. CHAVAN, J.

DATED : 10th MAY, 2024.

P.C.

On 18th April, 2024, the trial Court was directed to frame a charge within two weeks, inter alia, directing to proceed with the trial without granting unnecessary adjournments either to the accused or to the prosecution by keeping in mind provisions of Section 309 of the Code of Criminal Procedure.

REKHA
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2 The trial Court shall duly comply with Chapter XIX of the Code of Criminal Procedure, by ensuring the compliance of Section 238 and 239 of the Cr.P.C.

3 Learned senior Counsel for respondent No.1 and learned Counsel for the applicant are *ad-idem* to appoint former Judge of this Court Mr. Sandeep Shinde, as a Mediator.

4 As such, Mr. Sandeep Shinde, former Judge of this Court, is appointed as a Mediator. He is requested to ensure amicable settlement of the dispute.

5 The parties shall approach the learned Mediator within next two weeks.

6 The learned Mediator, thereafter, may fix the dates as per his convenience as well as convenience of the parties. The parties shall co-operate in the process of mediation.

7 After the process of mediation, a report to that effect be submitted to this Court after the ensuing Summer Vacation.

- 8 Parties shall bear the charges/fees of the mediator in equal proportion.
- 9 List under the caption “for Directions” on **18th June, 2024.**
- 10 Till then the parties shall maintain *status quo qua* the trial.

[PRITHVIRAJ K. CHAVAN, J.]