

IN THE COURT OF LD. 27TH JMFC COURT
AT MULUND, MUMBAI

C.C.NO. 37/Misc/2021

SANTOSH RAMSWAROOP DUBEY]....COMPLAINANT

V/s.

MR. JAVED AKHTAR]....ACCUSED

Application of Complainant for
withdrawal of case against the
Accused

MAY IT PLEASE YOUR HONOUR

The Complainant above named most respectfully submits as under:

1. The present matter was referred for mediation as per the application filed by Accused on 25/07/2024. That the meditation proceedings took place between the parties on 05th November 2024 attended by the Complainant Mr. Santosh Ramswaroop Dubey, Mr. Javed Akhtar, Mr. Jay K. Bhardwaj, Advocate for Mr. Javed Akhtar in the presence of the Hon'ble Mediator Mrs. Chitra Gaikwad (Appointed by the Hon'ble court).
2. During the course of mediation proceedings, Mr. Javed Akhtar explained his point of view especially vis-à-vis the alleged defamatory statements essentially clarifying that he never had the intention to defame or malign anyone's reputation.
3. The Accused Mr. Javed Akhtar also confirmed and assured that he never had or has any intention to make any statement that may hurt the feeling and sentiments of complainant and his Association/organisation/RSS.
4. The Accused had also informed the complaint regarding his age related sickness and the statement made by him was not intentional and he was trying to explain the scenario of



True Copy
Judicial Clerk
Metropolitan Magistrate's
27th Court, Mulund, Mumbai.

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Afghanistan and never intended to hurt the feeling of complainant and or his association/RSS.

5. Accordingly, in view of the discussions which took place during the mediation, the Complainant does not intend to pursue the present case further and wishes to withdraw the same.
6. The complainant considering the above mentioned aspects, his discussions which took place during the mediation with the accused, present age related sickness of Accused, also considering the assurance given by the Accused that he (Accused) never had or has any intention to make any statement that may hurt the feeling and sentiments of complainant and or his Association/organisation/RSS, now he (Complainant) do not want to proceed against the present accused, in the present matter and further desired to withdraw the present case against the Accused.

Under the above circumstances it is therefore prayed that the Hon'ble court may kindly permit the complainant to withdraw the present complaint against the accused and other necessary order and direction may kindly be issued as this Hon'ble court may deem fit and proper in the interest of justice.

Filed in this Hon'ble Court
On 08/11/2024


Santosh R Dubey
Complainant



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Handwritten signature

Serial No. 57

Date: 8/11/2024

Case No. 837 / Misc / 2021

To,
The Hon'ble Metropolitan Magistrate,
53rd / 27th Court, Mulund, Mumbai.

Santosh R. Dubey ... Applicant

V/S

Javed Akhram ... Respondent

Mediation Report

The above said case referred to me for mediation and conciliation. Both parties have amicably settled the matter before me so I am submitting this report that the matter is settled in mediation.

seem
Chauhan
8.11.24

Thanking you.

Date : 8/11/2024

Mumbai.

Chauhan
8/11/2024
Mediator
Adv. Chitwan B. Chauhan

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27th Court, Mulund, Mumbai.



IN THE COURT OF JUDICIAL MAGISTRATE
(FIRST CLASS), 27TH COURT, MULUND, MUMBAI

C.C.No. 837/Misc/2021

Santosh Ramswaroop Dubey ... Complainant

Vs.

Javed Akhtar ... Accused

ORDER BELOW EXH. 1

Today, complainant is present. He has filed application to withdraw the complaint at Exh. 12 stating that, matter is settled between the parties in mediation. The mediation report is at Exh. 11. Therefore, the complainant do not want to prosecute the accused and wish to withdraw the complaint against accused. I have personally verified to the complainant. He stated that, Exh. 12 bears his signature and its contents are correct. Hence, I proceed to pass following order.

ORDER

1. Complaint is disposed of as withdrawn.
2. Accused Javed Akhtar is acquitted for an offence punishable under section 499, r/w 500 of Indian Penal Code.
3. Accordingly matter is disposed off.



Date : 08/11/2024

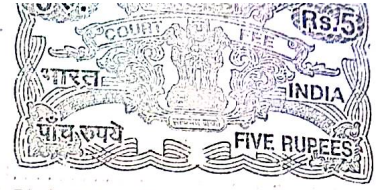
mgr-

S.D. Chakkar
08.11.24

(S.D.Chakkar)

Judicial Magistrate (First Class)
27th Court, Mulund, Mumbai





BEFORE THE JUDICIAL MAGISTRATE FIRST CLASS
27TH COURT, MULUND COURT, MUMBAI

IA No. ___ of 2024

In

C.C. No. 837/Misc/2021

ET/10

In the matter of:

Santosh Ramswaroop Dubey

...Complainant

Vs.

Javed Akhtar

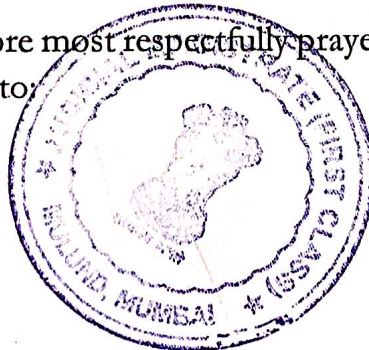
...Accused

APPLICATION FOR INITIATION OF MEDIATION
PROCEEDINGS

MOST RESPECTFULLY SHOWETH:

1. That the present matter is pending adjudication before this Hon'ble Court and is listed for today i.e. 25.07.2024.
2. That since the matter pertains to Defamation arising out of a private complaint, a mediation may be helpful in resolving the issues in controversy.
3. It would therefore be in the interest of justice that the matter may kindly be referred to mediation

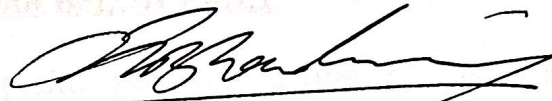
It is therefore most respectfully prayed that this Hon'ble Court may be pleased to:



Application is allowed. Sent matter for mediation.
25.7.24

1. Allow the present application and refer the matter to mediation.
2. Pass any further order(s) as this Hon'ble Court deems fit and proper in facts and circumstances of the case.

Dated: 25/07/2024



Advocate for accused

Mumbai

