

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

CRIMINAL APPLICATION NO.211 OF 2021

1. Sandip s/o Pandurang Bawale
2. Ranjit s/o Shankar Dhage
3. Pandurang s/o Baburao Bawale
4. Mahadev s/o Baburao Bawale
5. Nilawathi w/o Mahadev Bawale
6. Rekha w/o Ranjit Dhage
7. Priya @ Priydarshani w/o Sandip Bawale
8. Surekha w/o Marothi Chobhe
9. Kuldip s/o Pandurang Bawale
10. Vitthal s/o Mahadev Bawale
11. Pruthviraj s/o Ranjeet Dhage
12. Maruti s/o Ramling Chobe

.. Applicants

Versus

1. The State of Maharashtra
Through its, Police Inspector,
Police Station, Bhoom
Tq. Bhoom, Dist. Osmanabad
2. Pandit s/o Vitthal Dhage

.. Respondents

...
WITH

CRIMINAL APPLICATION NO.2766 OF 2022

1. Pandit Vitthal Dhage
2. Balaji Vitthal Dhage
3. Tanaji Vitthal Dhage
4. Vitthal Pandurang Dhage
5. Atul Haribhau Dhage
6. Rajubai Haribhau Dhage
7. Jyoti Tanaji Dhage
8. Shweta Atul Dhage
9. Pallavi Balaji Dhage
10. Haribhau Pandurang Dhage

.. Applicants

Versus

1. The State of Maharashtra
Through the Superintendent of Police,
Osmanabad.

2. The In-charge Investigation Officer,
Police Station, Boom, Dist. Osmanabad.

3. Maroti Ramling Chobe

.. Respondents

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Mr. S. P. Urgunde, Advocate for applicants in Criminal Application No.211 of 2021.

Mr. V. S. Undre, Advocate for applicants in Criminal Application No.2766 of 2022.

Mr. R. D. Sanap, APP for respondent No.1 - State in Criminal Application No.211 of 2021.

Mr. M. M. Nerlikar, APP for respondent Nos.1 and 2 - State in Criminal Application No.2766 of 2022.

Mr. V. S. Undre, Advocate for respondent No.2 in Criminal Application No.211 of 2021.

Mr. S. P. Urgunde, Advocate for respondent No.3, in Criminal Application No.2766 of 2022.

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**CORAM : SMT. VIBHA KANKANWADI AND
ABHAY S. WAGHWASE, JJ.**

RESERVED ON : DECEMBER 05, 2022.

PRONOUNCED ON : JANUARY 17, 2023.

ORDER :- [Per Smt. Vibha Kankanwadi, J.]

1) Criminal Application No.211 of 2021 has been filed for invoking inherent powers of this Court under Section 482 of the Code of Criminal Procedure, 1973 for quashing the First Information Report lodged at the behest of respondent No.2 bearing Crime No.82 of 2019 dated 17.05.2019 registered with Bhoom Police Station, Dist. Osmanabad for the offences punishable under Sections 143, 147, 148, 149, 307, 324, 327, 336, 323, 504, 506 and 34 of Indian Penal Code and under Section 135 of the Bombay Police Act as well as the

further proceedings in R.C.C. No.23 of 2020 pending before the learned Judicial Magistrate First Class.

1-A) Criminal Application No.2766 of 2022 has been filed for invoking inherent powers of this Court under Section 482 of the Code of Criminal Procedure, 1973 for quashing the First Information Report lodged at the behest of respondent No.3 bearing Crime No.83 of 2019 dated 17.05.2019 registered with Bhoom Police Station, Dist. Osmanabad for the offences punishable under Sections 143, 147, 148, 452, 324, 326, 323, 427, 504, 506 of Indian Penal Code and under Section 135 of the Maharashtra Police Act as well as the further proceedings i.e. Charge-sheet No.05 of 2020 filed before the Court of Judicial Magistrate First Class, Bhoom.

2) The brief facts leading to Criminal Application No.211 of 2021 are as under :-

The applicants are the original accused persons in First Information Report lodged by respondent No.2/informant, wherein it was stated that the informant is residing at village Chinchpur (Dhage) and practicing as an Advocate at Bhoom Court. On 16.05.2019 at about 6.20 p.m. he was proceeding to his village along with his maternal cousin brother Sunder Ughade on motorcycle. At about 7.00 p.m. they reached near the house of one Mahadev Bawale and Maruthi Chobe. At that time, the present applicants in furtherance of their common intention come across the motorcycle of the informant

and started abusing him by stating that why he had asked Dr. Kuldip Bawale to tender apology before the Bhoom Bar Association and, therefore, applicants - Vitthal Bawale, Pruthviraj Dhage and Maruti Chobe gave three blows of axe on the head of the informant and attempted to kill him, where as the applicants - Ranjit Dhage, Mahadev Bawale, Sandip Bawale and Pandurang Bawale beaten him by means of sticks on his back, waist and right shin. Thereafter, applicant - Maruti Chobe snatched gold locket of the informant weighing two Tola and also pelted stones on the informant's left leg and stomach. Thereafter, other applicants i.e. Nilawathi Bawale, Surekha Chobe, Rekha Dhage and Priya Bawale beat him by kicks and fists. The persons, namely, Tanaji Dhage, Balaji Dhage and Atul Dhage tried to rescue the informant, but they were also beaten by sticks. The assailants also gave threat to kill. Thereafter, the informant and others were taken to Rural Hospital, Boom. The informant thereafter lodged First Information Report against the applicants.

2-A) The brief facts leading to Criminal Application No.2766 of 2022 are as under :-

The applicants are original accused persons in First Information Report lodged by respondent No.3/informant, wherein it was stated that the informant is resident of village Chinchpur and he has alleged that on 16.05.2019 at about 7.30 p.m. his sister-in-law's

husband i.e. Ranjit Dhage came to him and stated that one Balaji Dhage and Atul Dhage under the influence of liquor abused him. Thereafter, at about 7.45 p.m. when the informant, Ranjit and Pruthviraj were standing at the veranda of the house, applicants - Pandit Dhage, Balaji Dhage, Tanaji Dhage, Vitthal Dhage and Haribhau Dhage came there and they told that said Ranjit and Pruthviraj abused them. All those persons started abusing the informant, Ranjit and Pruthviraj. Thereafter, when informant, Ranjit and Pruthviraj going inside the house, at that time, all the applicants started pelting stones towards them and they also entered the house of the informant. One Pandit Dhage has broken the TV of the informant. Thereafter, Pruthviraj was assaulted on his head. Tanaji and Atul assaulted them by kicks and fist blows. Thereafter, one Rajubai, Jyoti, Pallavi and Shweta caught hold the hair of the wife of the informant and made her to lie on the ground. Thereafter, by hearing the noise of quarrel when villagers gathered, the applicants left the spot. The informant, Ranjit and Pruthviraj were taken to hospital. The informant thereafter lodged First Information Report against the applicants.

Since both the applications are arising out of the same incident and against each other, the criminal applications are considered together.

3) The matter has been investigated and charge-sheets have been filed in both the cases. Now, there is a compromise between the respective informants, victim and the accused persons in both the cases. Hence, present applications have been filed for quashing of both the First Information Reports as well as the charge-sheets.

4) Heard learned Advocate Mr. S. P. Urgunde for the applicants, learned APP Mr. R. D. Sanap for respondent No.1 - State and learned Advocate Mr. V. S. Undre for respondent No.2 in Criminal Application No.211 of 2021 as well as learned Advocate Mr. V. S. Undre for applicants, learned APP Mr. M. M. Nerlikar for respondent No.1 and 2 - State and learned Advocate Mr. S. P. Urgunde for respondent No.3 in Criminal Application No.2766 of 2022. Perused the record.

5) The terms of compromise have been given in one original form in respect of both the offences. They have been got verified through learned Registrar (Judicial) and it is marked as Exhibit-A. In the compromise pursis, it has been stated that all of them are from the same village and they are definitely related to each other. They want to have harmony and want to go ahead in their life. They have been advised by the respectable persons from the village and now they have no complaints to make against each other. It is also stated that they will maintain the cordial relations with each other and will not indulge in any criminal activities against each other.

6) It is to be noted that as per the Medico Legal Certificate issued by Jagdale Mama Hospital, Barshi there is one injury on the person of the informant - Pandit Dhage in Crime No.82 of 2019, which was sutured wound with hard and blunt object and the nature of the injury is stated to be simple, however, it was on high parietal region. Then in the second case i.e. Crime No.83 of 2019 one Pruthviraj Dhage has sustained two injuries one is CLW on parieto-occipital region with hard and blunt object and the nature of the injury is simple and second is abrasion on the right hand with hard and blunt object and the nature of the injury is simple. No doubt, such offences are required to be seriously viewed, however, at the same time, it is also required to be noted that applicants and respondents/informants in respective applications are relatives of each other. They have settled the matter amicably.

7) Learned Advocate for the applicants in Criminal Application No.211 of 2021 has placed reliance on the following decisions :-

i) Gian Singh Vs. State of Punjab and another, [2012 SCC Online SC 769].

ii) Narinder Singh and others Vs. State of Punjab and another, [2014 SCC Online SC 265].

iii) Parbatbhai Aahir Alias Parbatbhai Bhimsinhbhai

Karmur and others Vs. State of Gujrat and another, [2017 SCC Online SC 1189].

iv) Sushil Kantilal Bafana and another Vs. Akash Vilas Shinde and another, [2021 DGLS (Bom.) 245]

v) Aman Mendiratta and another Vs. State NCT of Delhi and another, [(Delhi High Court) Crl. M.C. No.4035 of 2015 decided on 29.09.2015].

vi) Gagandeep Singh @ Gagan Vs. State of Punjab and others, decided by Punjab-Haryana High Court in Criminal Misc. No. M-9875 of 2017 on 30.10.2017.

vii) Chandrashekhar Dhruv @ Chandu s/o Late Pardeshi Dhruv Vs. State of Chattisgarh and another, decided by Chattisgarh High Court in CRMP No.1647 of 2017 on 22.02.2018.

viii) Gopal Lal s/o Shri Malu Ram Yadav and others Vs. State of Rajasthan and another, decided by Rajasthan High Court in S.B. Criminal Miscellaneous (Petition) No.2083 of 2018 on 19.04.2018.

ix) Sanjay Vs. State of Rajasthan, decided by Rajasthan High Court in S. B. Criminal Misc. (Petition) No.5893 of 2019 on 01.11.2019.

x) Dimpey Gujral and Ors. Vs. Union Territory Through Administrator, U.T. Chandigarh and Ors.,

[2013 Cri.L.J. 520].

xi) Jai Narain Mahto and Ors. Vs. State of Bihar, [2013 Cri. L.J. 522]

xii) Ashok Dhondiba Kale Vs. State of Maharashtra and others, [2018 SCC Online Bom. 1826].

xiii) Anand Kumar Mohatta and another Vs. State (Govt. of NCT of Delhi) Department of Home and another, [2019 Cri.L.J. 1297].

xiv) Yusuf s/o Jumme Khan and another Vs. State of Rajasthan, [2019 Cri.L.J. 1303].

xv) B. S. Joshi and others Vs. State of Haryana and another, [2003 Cri.L.J. 2028]

8) Per contra, the learned APP has relied on the three Judge Bench decision of the Hon'ble Apex Court in **State of Madhya Pradesh Vs. Laxmi Narayan and Others, [(2019) 5 SCC 688]**, wherein it has been held that :-

" The Court has to apply mind to following while quashing on the basis of compromise - (i) Whether crime against society or against individual alone and kind of dispute, whether civil or criminal, (ii) Seriousness, nature and category/kind of crime/offence and how committed, (iii) whether offence under special statute, (iv) stage of

proceedings, (v) conduct and antecedents of accused, whether accused absconding, why absconding and how he managed to compromise with complainant. "

Learned APP has harped upon clause (v) of the aforesaid decision, which reads thus :-

"(v) While exercising the power under Section 482 CrPC to quash the criminal proceedings in respect of non-compoundable offences, which are private in nature and do not have a serious impact on society, on the ground that there is a settlement/compromise between the victim and the offender, the High Court is required to consider the antecedents of the accused; the conduct of the accused, namely, whether the accused was absconding and why he was absconding, how he had managed with the complainant to enter into a compromise, etc."

As regards the criminal antecedents of the applicants are concerned, it is to be noted that certain applicants were accused in Crime No.116 of 2018 on one side and certain applicants were accused in Crime No.117 of 2018, however, now the copies of the judgment by learned Judicial Magistrate First Class, Boom, Dist. Osmanabad in respect of R.C.C. Nos.63 of 2018 and 21 of 2019 have been produced on record. Both were decided on 05.09.2022 and perusal of the same would show that the offences involved in the same were Crime Nos.116 of 2018 and 117 of 2018. It appears that

due to the compromise, only one witness was examined on behalf of the prosecution, who turned hostile and, therefore, those accused persons have been acquitted. Under such circumstance, there is no antecedents, as against the applicants are concerned.

9) The Hon'ble Apex Court in ***Gian Singh vs. State of Punjab and another [(2012) 10 SCC 303]***, has laid down the following ratio -

“51 Section 320 of the Code articulates public policy with regard to the compounding of offences. It catalogues the offences punishable under IPC which may be compounded by the parties without permission of the Court and the composition of certain offences with the permission of the court. The offences punishable under the special statutes are not covered by Section 320. When an offence is compoundable under Section 320, abatement of such offence or an attempt to commit such offence or where the accused is liable under Section 34 or 149 of the IPC can also be compounded in the same manner. A person who is under 18 years of age or is an idiot or a lunatic is not competent to contract compounding of offence but the same can be done on his behalf with the permission of the court. If a person is otherwise competent to compound an offence is dead, his legal representatives may also compound the offence with the permission of the court. Where the accused has been committed for trial or he has been convicted and the appeal is pending, composition can only be done with the leave

of the court to which he has been committed or with the leave of the appeal court, as the case may be. The revisional court is also competent to allow any person to compound any offence who is competent to compound. The consequence of the composition of an offence is acquittal of the accused. Sub-section (9) of Section 320 mandates that no offence shall be compounded except as provided by this Section. Obviously, in view thereof the composition of an offence has to be in accord with Section 320 and in no other manner.

52 The question is with regard to the inherent power of the High Court in quashing the criminal proceedings against an offender who has settled his dispute with the victim of the crime but the crime in which he is allegedly involved is not compoundable under Section 320 of the Code.

53 Section 482 of the Code, as its very language suggests, saves the inherent power of the High Court which it has by virtue of it being a superior court to prevent abuse of the process of any court or otherwise to secure the ends of justice. It begins with the words, nothing in this Code which means that the provision is an overriding provision. These words leave no manner of doubt that none of the provisions of the Code limits or restricts the inherent power. The guideline for exercise of such power is provided in Section 482 itself i.e., to prevent abuse of the process of any court or otherwise to secure the ends of justice. As has been repeatedly stated that Section 482 confers no new

powers on High Court; it merely safeguards existing inherent powers possessed by High Court necessary to prevent abuse of the process of any Court or to secure the ends of justice. It is equally well settled that the power is not to be resorted to if there is specific provision in the Code for the redress of the grievance of an aggrieved party. It should be exercised very sparingly and it should not be exercised as against the express bar of law engrafted in any other provision of the Code.

54 In different situations, the inherent power may be exercised in different ways to achieve its ultimate objective. Formation of opinion by the High Court before it exercises inherent power under Section 482 on either of the twin objectives, (i) to prevent abuse of the process of any court or (ii) to secure the ends of justice, is a *sine qua non*.

55 In the very nature of its constitution, it is the judicial obligation of the High Court to undo a wrong in course of administration of justice or to prevent continuation of unnecessary judicial process. This is founded on the legal maxim *quando lex aliquid alicui concedit, conceditur et id sine qua res ipsa esse non potest*. The full import of which is whenever anything is authorised, and especially if, as a matter of duty, required to be done by law, it is found impossible to do that thing unless something else not authorised in express terms be also done, may also be done, then that something else will be supplied by necessary intendment. *Ex debito be supplied justitiae* is by

necessary inbuilt in such exercise; the whole idea is to do real, complete and substantial justice for which it exists. The power possessed by the High Court under Section 482 of the Code is of wide amplitude but requires exercise with great caution and circumspection.

56 It needs no emphasis that exercise of inherent power by the High Court would entirely depend on the facts and circumstances of each case. It is neither permissible nor proper for the court to provide a straitjacket formula regulating the exercise of inherent powers under Section 482. No precise and inflexible guidelines can also be provided.

57 Quashing of offence or criminal proceedings on the ground of settlement between an offender and victim is not the same thing as compounding of offence. They are different and not interchangeable. Strictly speaking, the power of compounding of offences given to a court under Section 320 is materially different from the quashing of criminal proceedings by the High Court in exercise of its inherent jurisdiction. In compounding of offences, power of a criminal court is circumscribed by the provisions contained in Section 320 and the court is guided solely and squarely thereby while, on the other hand, the formation of opinion by the High Court for quashing a criminal offence or criminal proceeding or criminal complaint is guided by the material on record as to whether the ends of justice would justify such exercise of power although the ultimate consequence

may be acquittal or dismissal of indictment.

58 Where High Court quashes a criminal proceeding having regard to the fact that dispute between the offender and victim has been settled although offences are not compoundable, it does so as in its opinion, continuation of criminal proceedings will be an exercise in futility and justice in the case demands that the dispute between the parties is put to an end and peace is restored; securing the ends of justice being the ultimate guiding factor. No doubt, crimes are acts which have harmful effect on the public and consist in wrong doing that seriously endangers and threatens well-being of society and it is not safe to leave the crime- doer only because he and the victim have settled the dispute amicably or that the victim has been paid compensation, yet certain crimes have been made compoundable in law, with or without permission of the Court. In respect of serious offences like murder, rape, dacoity, etc; or other offences of mental depravity under IPC or offences of moral turpitude under special statutes, like Prevention of Corruption Act or the offences committed by public servants while working in that capacity, the settlement between offender and victim can have no legal sanction at all. However, certain offences which overwhelmingly and predominantly bear civil flavour having arisen out of civil, mercantile, commercial, financial, partnership or such like transactions or the offences arising out of matrimony, particularly relating to dowry, etc. or the family dispute, where the wrong is basically to victim and the offender and victim have settled all disputes

between them amicably, irrespective of the fact that such offences have not been made compoundable, the High Court may within the framework of its inherent power, quash the criminal proceeding or criminal complaint or F.I.R if it is satisfied that on the face of such settlement, there is hardly any likelihood of offender being convicted and by not quashing the criminal proceedings, justice shall be casualty and ends of justice shall be defeated. The above list is illustrative and not exhaustive. Each case will depend on its own facts and no hard and fast category can be prescribed.”

Further, after referring to various other decisions it has been held that,

“61 The position that emerges from the above discussion can be summarised thus: the power of the High Court in quashing a criminal proceeding or FIR or complaint in exercise of its inherent jurisdiction is distinct and different from the power given to a criminal court for compounding the offences under Section 320 of the Code. Inherent power is of wide plenitude with no statutory limitation but it has to be exercised in accord with the guideline engrafted in such power viz; (i) to secure the ends of justice or (ii) to prevent abuse of the process of any Court. In what cases power to quash the criminal proceeding or complaint or F.I.R may be exercised where the offender and victim have settled their dispute would depend on the facts and circumstances of each case and no category can be prescribed. However, before exercise

of such power, the High Court must have due regard to the nature and gravity of the crime. Heinous and serious offences of mental depravity or offences like murder, rape, dacoity, etc. cannot be fittingly quashed even though the victim or victims family and the offender have settled the dispute. Such offences are not private in nature and have serious impact on society. Similarly, any compromise between the victim and offender in relation to the offences under special statutes like Prevention of Corruption Act or the offences committed by public servants while working in that capacity etc; cannot provide for any basis for quashing criminal proceedings involving such offences. But the criminal cases having overwhelmingly and predominatingly civil flavour stand on different footing for the purposes of quashing, particularly the offences arising from commercial, financial, mercantile, civil, partnership or such like transactions or the offences arising out of matrimony relating to dowry, etc. or the family disputes where the wrong is basically private or personal in nature and the parties have resolved their entire dispute. In this category of cases, High Court may quash criminal proceedings if in its view, because of the compromise between the offender and victim, the possibility of conviction is remote and bleak and continuation of criminal case would put accused to great oppression and prejudice and extreme injustice would be caused to him by not quashing the criminal case despite full and complete settlement and compromise with the victim. In other words, the High Court must consider whether it would be unfair or contrary to the interest of justice to continue with the

criminal proceeding or continuation of the criminal proceeding would tantamount to abuse of process of law despite settlement and compromise between the victim and wrongdoer and whether to secure the ends of justice, it is appropriate that criminal case is put to an end and if the answer to the above question(s) is in affirmative, the High Court shall be well within its jurisdiction to quash the criminal proceeding.”

10) The decision in ***Gian Singh (Supra)*** is also a three Judge Bench decision. It cannot be said that it is in any way contrary to the decision in ***State of Madhya Pradesh Vs. Laxmi Narayan and others (Supra)***. It has been rather stated that in what cases power to quash the criminal proceeding or complaint or FIR may be exercised where the offender and the victim have settled their dispute would depend on the facts and circumstances of each case and no category can be prescribed. Here, in this case, the allegations are that the unlawful assembly was formed. Though it is stated that the weapons used were axe, stick and stones, yet axe was never seized rather four sticks, one iron rod and stones have been seized. The medical report states about one injury to Pandit Dhage in Crime No.82 of 2019, which was sutured wound with hard and blunt object and the nature of the injury is stated to be simple, however, it was on high parietal region. Then in the second case i.e. Crime No.83 of 2019 one Pruthviraj Dhage has sustained two injuries one is CLW on parieto-occipital region with hard and blunt object and the nature of

the injury is simple and second is abrasion on the right hand with hard and blunt object and the nature of the injury is simple. Therefore, taking into consideration the injuries, there is no hurdle in allowing the matter to be compromised. One more aspect is required to be noted is that as regards accused No.9 in Crime No.83 of 2019 i.e. Vitthal Pandurang Dhageis concerned, there is offence registered against him vide Crime No.156 of 2016 with Bhoom Police Station, Dist. Osmanabad for the offence punishable under Sections 7, 12, 13(1), 13(d) of Prevention of Corruption Act, 1988 and it is lodged by one Asif B. Shaikh, who himself is the Police Inspector to Anti Corruption Bureau, Osmanabad. It is totally a different kind of offence, which is nothing to be connected to the present offence so also as regards accused Tanaji Dhage in Crime No.83 of 2019 is concerned, offence vide Crime No.44 of 207 with Boom Police Station, Dist. Osmanabad under Section 306 read with Section 34 of Indian Penal Code has been registered against him on the basis of FIR lodged by one Nitin Uddhavrao Patil, who was the Head Constable. It is in respect of suicide of one Anil Popat Andhare and it is stated that it was on the account of alleged illicit relations between said Tanaji Dhage with the wife of the deceased. It is also nothing to do with the crime in the present case. Therefore, these criminal antecedents cannot be considered or should be taken as hurdle.

11) Thus, when the parties have compromised the matter and

now in the terms of compromise, respondents/informants are coming with a case that they have settled the matter amicably, definitely, possibility of their turning hostile at the time of evidence cannot be ruled out. When they want to keep harmony in the family, it is a welcoming step and, therefore, we feel it necessary to exercise our inherent powers under Section 482 of the Code of Criminal Procedure. However, at the same time, when the entire machinery has been misused by the respondents/informants and now on some terms when the applicants have approached respondents/informants, they have compromised the matter. Under such circumstance, we intend to impose some cost and conditions on the parties. Hence, the following order.

ORDER

- i) Criminal Application Nos.211 of 2021 and 2766 of 2022 stand allowed.
- ii) The First Information Report vide Crime No.82 of 2019 dated 17.05.2019 registered with Bhoom Police Station, Dist. Osmanabad, for the offences punishable under Sections 143, 147, 148, 149, 307, 324, 327, 336, 323, 504, 506 read with Section 34 of Indian Penal Code and under Section 135 of the Maharashtra Police Act as well as the further proceedings in R.C.C. No.23

of 2020 pending before the learned Judicial Magistrate First Class, Bhoom, Dist. Osmanabad stand quashed and set aside, as against the applicants in Criminal Application No.211 of 2021.

iii) The First Information Report vide Crime No.83 of 2019 dated 17.05.2019 registered with Bhoom Police Station, Dist. Osmanabad, for the offences punishable under Sections 143, 147, 148, 452, 324, 336, 323, 427, 504, 506 of Indian Penal Code and under Section 135 of the Maharashtra Police Act as well as the further proceedings i.e. Charge-sheet No.05 of 2020 filed before the learned Judicial Magistrate First Class, Boom, Osmanabad, stand quashed and set aside, as against the applicants in Criminal Application No.2766 of 2022.

iv) Applicant Nos.1) **Sandip s/o Pandurang Bawale,** 2) **Ranjit s/o Shankar Dhage,** 3) **Pandurang s/o Baburao Bawale,** 4) **Mahadev s/o Baburao Bawale,** 5) **Nilawathi w/o Mahadev Bawale,** 6) **Rekha w/o Ranjit Dhage,** 7) **Priya @ Priydarshani w/o Sandip Bawale,** 8) **Surekha w/o Marothi Chobhe,** 9) **Kuldip s/o Pandurang Bawale,** 10) **Vitthal s/o Mahadev Bawale,** 11) **Pruthviraj s/o Ranjeet Dhage and**

12) **Maruti s/o Ramling Chobe** and respondent No.2) **Pandit Vitthal Dhage** in Criminal Application No.211 of 2021 shall file an undertaking before this Court on or before 25.01.2023 that they would deposit amount of Rs.1,000/- (Rupees One Thousand only) each in the High Court Legal Services Sub-Committee, Aurangabad, within a period of four weeks from today.

v) Applicant Nos.1) **Pandit Vitthal Dhage**, 2) **Balaji Vitthal Dhage**, 3) **Tanaji Vitthal Dhage**, 4) **Vitthal Pandurang Dhage**, 5) **Atul Haribhau Dhage**, 6) **Rajubai Haribhau Dhage**, 7) **Jyoti Tanaji Dhage**, 8) **Shweta Atul Dhage**, 9) **Pallavi Balaji Dhage** and 10) **Haribhau Pandurang Dhage** and respondent No.3) **Maruti Ramling Chobe** in Criminal Application No.2766 of 2022 shall file an undertaking before this Court on or before 25.01.2023 that they would deposit amount of Rs.1,000/- (Rupees One Thousand only) each in the High Court Legal Services Sub-Committee, Aurangabad, within a period of four weeks from today.

vi) The applicants and respondents/informants in respective applications should also state in the undertaking that they will maintain good relations with

each other and they would participate in peace programme undertaken by Bhoom Police Station, Dist. Osmanabad, for a period of two years.

vii) The Police Inspector should take note of this direction and call these persons in peace keeping programmes undertaken within the jurisdiction of the Police Station and issue certificate regarding participation of the respective applicants and respondents/informants, every month.

[ABHAY S. WAGHWASE]
JUDGE

[SMT. VIBHA KANKANWADI]
JUDGE

scm