

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD.**

CRIMINAL APPLICATION NO. 1335 OF 2014

Sambhaji S/o. Vishwambhar Pingle and ors **...Petitioners**

Versus

The State of Maharashtra and anr. **...Respondents**

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Shri. H. I. Pathan, Advocate for the petitioners
Shri. P. P. More, APP for respondent/State
Shri. Anant Devakate, Advocate for respondent No. 2
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**CORAM : SMT. SADHANA S. JADHAV, J.
DATED : APRIL 29TH, 2015.**

PER COURT: -

. Heard respective Counsel.

2. By an order dt. 17th March, 2015, the matter was referred for mediation. The parties were directed to appear before the Mediator - Advocate Shri. B. S. Kudale. The parties to the petition had appeared before the Mediator. The report of Mediator – Shri. B. S. Kudale would clearly indicate that the mediation between the parties has been successful. The parties have arrived at amicable settlement. The compromise pursis is taken on record and marked as Article 'A' for the purpose of identification.

3. The respondent No. 2 herein had filed a complaint against the present petitioners before Judicial Magistrate First Class, Paranda alleging therein that the present petitioners have committed offence punishable under Section 494, 107 of the Indian Penal Code (IPC). The complaint was registered as RCC No. 223 of 2013. Learned Magistrate had, by an order dt. 27th December, 2013, issued process against the accused for offence punishable under Section 494 of the Indian Penal Code. The petitioners herein have filed the present petition seeking relief of quashing of the order of issuance of process. During the pendency of this petition, the parties had arrived at amicable settlement. In view of this, the petition deserves to be allowed in terms of prayer clause 'B'.

4. Composition of an offence amounts to acquittal of the accused in the said offence. In view of this, the order issuing process u/s 494 of IPC dated 27th December, 2013 below Exh. 1 in RCC No. 223 of 2013, is hereby quashed and set aside. The proceedings in RCC No. 223 of 2013 are hereby quashed and set aside. Petition is allowed in above terms and disposed of.

(SMT. SADHANA S. JADHAV, J.)