

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

BENCH AT AURANGABAD

CRIMINAL APPLICATION NO. 1441 OF 2015

ZAKER SHAH SANDU SHAH &ORS
 VERSUS
 THE STATE OF MAHARASHTRA & ORS

...
 Advocate for Applicants : Mr. Thote Dhananjay K
 APP for Respondents State: Mr. K. M.Suryawanshi
 Advocate for Respondents No.2 : Mr. D. B. Kode

...
**CORAM : T. V. NALAWADE &
 INDIRA K. JAIN, JJ.**

DATE : 6th May, 2015

PER COURT :

1. The application is filed for quashing and setting aside the proceedings in RCC No. 218/2012 pending in the Court of learned JMFC, Fulambri. It is filed for offences punishable under section 324, 323, 504, 506 r/w 34 of the Indian Penal Code. Affidavit of original complainant Roshan Shah and another injured Sandu Shah are filed. They are identified by learned counsel Mr. Kode.

2. It was submitted by the learned counsel for the applicants and complainants that the parties have settled the dispute and the dispute was of private nature. Copy of charge sheet is produced on record. It shows that the quarrel was took place out of petty incident. In view of the nature of dispute and aforesaid circumstance, this Court holds that nothing can be achieved by allowing the appeal to go on against the applicant.

3. In the result, the application is allowed. Proceedings in RCC No. 218/2012 pending in the Court of JMFC, Phulambri for the offence mentioned above is hereby quashed and set aside. Criminal application disposed of.

(INDIRA K. JAIN, J.)**(T. V. NALAWADE, J.)**