

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

CRIMINAL REVISION APPLICATION NO. 53 OF 2015

1. Pappu @ Avinash Dashrath Jadhav,
Age: 36 years, Occu: Agriculturist,
2. Dashrath Ramchandra Jadhav,
Age: 74 years, Occu: Agriculturist,
3. Vatsala Dashrath Jadhav,
Age: 64 years, Occu: House-hold work,

All resident of Chas Tal. Nagar
Dist. Ahmednagar

...Applicants

versus

1. State of Maharashtra,
2. Tukaram Ramchandra Jadhav,
Age: 80 years, Occu: Agri.,
R/o. Chas, Tal. Nagar,
Dist. Ahmednagar

...Respondents

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Mr. B. N. Palve, Advocate for applicants
Mrs. M. A. Deshpande, A.P.P. for respondent/State
Mr.P. B. Patil, Advocate for respondent No. 2

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CORAM : N.W. SAMBRE, J.

DATE : 14th OCTOBER, 2015

ORAL ORDER :

Mr. P. B. Patil, learned Counsel filed vakilpatra on behalf of respondent No. 2-original complainant/injured. Same is taken on record.

2. The applicants and respondent No. 2 are personally present in the Court, who are identified by their respective Counsel. The parties have placed on record compromise deed, same is taken on record and marked 'X' for identification.

3. The applicants and complainant are relatives and therefore they have decided to settle the matter. They further stated that the agreement / compromise is not executed under duress or compulsion or out of pressure. The compromise/agreement appears to be voluntarily. In addition to that, an additional affidavit on behalf of the respondent No.2 - original complainant has also been filed before this Court.

4. In view thereof, Criminal Revision Application is allowed. The offence is compounded. The judgment and order passed by the learned Adhoc District Judge-3 & Additional Sessions Judge, Ahmednagar in Criminal Appeal No. 18 of 2009 on 17/03/2015 and conviction awarded by learned Judicial Magistrate, Ahmednagar in Regular Trial Case No. 281 of 2006 on 09/01/2009 is quashed and set aside. The applicants are acquitted for the offence punishable under Section 324 read with Section 34 of the Indian Penal Code.

5. Fine amount, if paid by the applicants/accused, be refunded to them.

6. Criminal Revision Application stands disposed of.

[N.W. SAMBRE, J.]