

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

Criminal Appeal No. 294 of 2003

State of Maharashtra.

.. Appellant.

Versus

Vishnu Mahadeo Ingale

Age 40 years,

Occupation : Agri./ Labour,

R/o Dhanegaon,

Taluka Tuljapur, Dist. Osmanabad.

.. Respondent.

Smt. M.S. Patni, Additional Public Prosecutor, for
appellant.

Shri. K.S. Bhore, Advocate, for respondent.

CORAM: T.V. NALAWADE, J.

DATE : 12th AUGUST 2015

JUDGMENT:

1) The appeal is filed to challenge the judgment of acquittal given in Regular Criminal Case No.157/2001 by the Judicial Magistrate First Class Tuljapur, District Osmanabad. The respondent is acquitted offence punishable under sections 325, 323, 504 of the Indian penal Code. Heard both sides.

2) During arguments, learned counsel for the complainant produced document to show that the parties have settled the dispute out of Court and they want to see that the offence is compounded. This Court has gone through the record particularly the evidence of the complainant and the evidence of the doctor. They are neighbours having adjacent lands and the incident took place out of petty quarrel. One injury like contusion was found on the left forearm and closed fracture of left radius ulna was found and there is doctor's evidence. Though there are some observations which cannot be accepted against the medical evidence, in view of the present development, this Court holds that it is not possible to interfere in the decision given by the Trial Court. Identification of the parties is checked. In the result, the appeal is dismissed.

Sd/-
(T.V. NALAWADE, J.)

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