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IN THE HIGH COURT OF JUDICATURE AT BOMBAY

BENCH AT AURANGABAD

CRIMINAL APPLICATION NO.3943/2015

Nitin Manikrao Bagwale & others.
...Applicants..

Versus

The State of Maharashtra & another.
...Respondents...

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Shri S.W. Munde, Advocate for applicants.
Shri B.L. Dhas, APP for respondents.

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**CORAM: A.B. CHAUDHARI &
INDIRA K. JAIN, JJ.**

DATE: 03.09.2015

ORDER :

1] Heard learned counsel for the parties. Rule. Rule made returnable forthwith and the application is taken up for final hearing at this stage with the consent of learned counsel for the parties.

2] By way of present application, two counter FIR Nos.132/2015 and 133/2015 registered at Parli City Police Station, Parli Vaijinath Dist.Beed u/s.323, 324, 504, 504 r/w 34 of the Indian Penal Code and u/s 3(1)(x) of the S.C. & S.T. (Prevention of Atrocities) Act are sought to

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be quashed by compounding the offence. The complainant Feroz @ Krishnamohan Dyanchandra Jadhav is present in the Court, who is identified by his learned counsel so also the applicant no.2 - Balkrishna @ Balu Anantrao Phule is identified by him. The learned counsel for the applicants submit that the counter cases were registered on the complaints made by them, but now they want to live in peace and should be allowed to compound the offences registered against each other.

3] We have perused the FIRs in both the crimes. On perusal of the FIRs, we find that the quarrel between the two groups led to the lodgment of two FIRs against each other and now since they want to live in peace and harmony, the compounding can be allowed in the light of the decision in the case of *Gian Singh V/s State of Punjab & another* (2012) 10 Supreme Court Cases 303. However, we find that the FIRs were lodged in July, 2015 and in the same month on 31st July, 2015, the application has been filed. Thus, all the applicants have taken the Police Department for a ride by setting the criminal law in motion with serious offences alleged against each other. We, therefore, think that all the applications

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should pay costs in the sum of Rs.2,000/- each to the Superintendent of Police, Beed Dist.Beed. Hence, the following order.

4] Criminal Application No.3943/2015 is allowed. Rule is made absolute in terms of prayer clauses [C] and [D] of the application subject to payment of costs of Rs.2,000/- (rupees two thousand only) by each of these six applicants i.e. total Rs.12,000/-, within a period of ten weeks from today, to be deposited in the office of the Superintendent of Police, Beed Dist.Beed. Upon failure to deposit the said amount as above, this order shall stand automatically recalled.

(INDIRA K. JAIN, J.)

(A.B. CHAUDHARI, J.)