

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

**BENCH AT AURANGABAD**

**CRIMINAL WRIT PETITION NO.1240 OF 2015**

- 1) Kumar s/o Bapu Bhosale,  
Age-45 years, Occu:Agri.,
- 2) Pramod Arun Bhosale,  
Age-24 years, Occu:Agri.,
- 3) Hausrao Gangaram Bhosale,  
Age-52 years, Occu:Agri,
- 4) Arun Gangaram Bhosale,  
Age-49 years, Occu:Agri,
- 5) Ramesh Hausrao Bhosale,  
Age-31 years, Occu:Agri,
- 6) Vaibhav Kumar Bhosale,  
Age-25 years, Occu:Agri,
- 7) Yogesh Kumar Bhosale,  
Age-21 years, Occu:Agri,
- 8) Lalasaheb Ramdas Bhosale,  
Age-37 years, Occu:Agri,
- 9) Rahul Digambar Bhosale,  
Age-19 years, Occu:Agri,
- 10) Ramdas Shivaji Bhosale,  
Age-22 years, Occu:Agri,
- 11) Navnath Dnyandeo Jambale,  
Age-33 years, Occu:Agri,  
R/o-Dudhodi, Tq-Karjat,

- 12) Pandurang Ramdas Bhosale,  
Age-35 years, Occu:Agri,
- 13) Gorakh Gulab Bhosale,  
Age-30 years, Occu:Agri,
- 14) Dada Gulab Bhosale,  
Age-28 years, Occu:Agri,
- 15) Bhimrao Arun Bhosale,  
Age-30 years, Occu:Agri.,
- 16) Bapu Damu Bhosale,  
Age-74 years, Occu:Agri,
- 17) Ramdas Shivram Bhosale,  
Age-65 years, Occu:Agri,
- 18) Vishwanath Sakharam Bhosale,  
Age-54 years, Occu:Agri.,
- 19) Gopinath Baburao Bhosale,  
Age-30 years, Occu:Agri.,
- 20) Gulab Shivram Bhosale,  
Age-60 years, Occu:Agri.,

All R/o- Berdi, Tq-Karjat,  
Dist-Ahmednagar.

**...PETITIONERS**  
**(Orig. Accused)**

**VERSUS**

- 1) The State of Maharashtra,
- 2) Dnyandeo Vitthalrao Pawar,  
Age-47 years, Occu:Agri.,  
R/o-Siddhtek, Tq-Karjat,  
Dist-Ahmednagar.

**...RESPONDENTS**

...  
Mr.N.B. Patekar Advocate for Petitioners.  
Mr.K.S. Patil, A.P.P. for Respondent No.1.  
Mr.N.B. Narwade Advocate for Respondent No.2.  
...

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

**DATE : 7TH OCTOBER, 2015**

**ORAL ORDER :**

1. Rule, made returnable forthwith. With the consent of the learned counsel for the rival parties, taken up for final hearing. The counsel for respective Respondents waive service of notice.

2. Following is the prayer clause (B) in this Petition:

"(B) That, by issuing appropriate writ or direction in the like nature, the proceeding of Sessions Case No.05/2014 for the offence punishable u/sec. 143, 147, 148, 149, 307, 326,

324, 323, 504, 506 of I.P.C. & U/s. 37(1)(3) / 135 of Bombay Police Act, pending before the Ld. Sessions Court Ahmednagar may kindly be quashed and set aside and further seeks the permission for compounding the offence with permission of this Hon'ble High Court."

3. F.I.R. was registered at the behest of Respondent No.2 - Dnyandeo Vitthalrao Pawar. It is stated by the counsel for the Petitioners that out of 20 Petitioners, Petitioner No.18 - Vishwanath Sakharam Bhosale expired. Counsel for the Petitioner is directed to delete the name of Petitioner No.18 from the array of the Petitioners. Amendment be carried out forthwith.

4. There is motion made by the learned counsel for the rival parties appearing in this Petition for compounding of offences. We have already given the reasons while disposing of Criminal Writ Petition No.1239 of 2015 for

compounding of offences. This is a counter case in relation to the same parties but for complainant being from the side of the accused in Criminal Writ Petition No.1239 of 2015. We, therefore, do not propose to give separate reasons but following the reasons given while disposing of Criminal Writ Petition No.1239 of 2015, we make the following order:

**O R D E R**

(I) Criminal Writ Petition No.1240 of 2015 is allowed.

(II) Rule is made absolute in terms of prayer clause (B) of the Petition, subject to payment of compensatory cost of Rs.10,000/- (Rupees Ten Thousand) by Petitioner Nos.1 to 17, 19 and 20, to be deposited in the Office of the Superintendent of Police, Ahmednagar

within SIX WEEKS from today.

(III) In case of default of payment within stipulated period, the order shall stand recalled, automatically.

**[INDIRA K. JAIN, J.]**

asb/OCT15

**[A.B. CHAUDHARI, J.]**