

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

CRIMINAL WRIT PETITION NO. 1282 OF 2015

Balram s/o Rajkumar Adlakha and ors.

...Petitioners

VERSUS

The State of Maharashtra & ors.

...Respondents

.....
Shri S.R.Vakil, advocate for petitioners

Shri S.B.Yawalkar, A.P.P. for respondent nos. 1 and 2/State

Shri D.B.Thoke, advocate for respondent no.3
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CORAM : A.B.CHAUDHARI & INDIRA K.JAIN, JJ.

DATED : 19th OCTOBER, 2015

ORDER :

1] Rule. Rule is made returnable forthwith. With the consent of the rival parties, heard finally.

2] Following is the prayer clause 'C' in the present petition.

"(C) By appropriate order of direction the Crime registered with the Gangapur Police Station bearing C.R. No. I-158/2015, dated 26.08.2015 for the offences punishable u/s 406, 420 read with 34 of the Indian Penal Code may kindly be quashed and set aside. "

3] The respondent/complainant has filed an affidavit, dated 28.9.2015 before this court and has submitted that entire dispute relating to payment has been settled and now he does not want to prosecute the first information report that was lodged by him.

4] We find, since the parties have settled their dispute amicably amongst themselves, it would not be in the fitness of things to have the prosecution continued any further.

5] In the light of the decision in the case of **Gian Singh Vs State of Punjab [(2012) 10 SCC 303]**, we think, the compounding of the offences should be allowed. We, therefore, pass following order.

ORDER

Rule is made absolute in terms of prayer clause 'C'. No order as to costs.

[INDIRA K.JAIN, J.]

[A.B.CHAUDHARI, J.]

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