

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

CRIMINAL APPLICATION NO. 5779 OF 2015

MAHADEO VITHOBA @ VITTHAL APET AND ANOTHER
VERSUS
THE STATE OF MAHARASHTRA & ANOTHER

...

Advocate for Applicants : Mr. S.G. Kawade
APP for Respondents: Mr. M M Nerlikar
Advocate for Respondents : Mr. S.J Salunke

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WITH

CRIMINAL APPLICATION NO. 5777 OF 2015

KALYAN SHRIHARI APET
VERSUS
THE STATE OF MAHARASHTRA & ANOTHER

...

AND

CRIMINAL APPLICATION NO. 5778 OF 2015

SHRIHARI MAHADEV APET AND OTHERS
VERSUS
THE STATE OF MAHARASHTRA & OTHERS

...

Advocate for Applicant : Mr. S.J Salunke
APP for Respondents: Mr. D R Kale/Mr. A.S.Shinde
Advocate for Respondent 2 : Mr. S.G. Kawade

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CORAM : S V GANGAPURWALA & V.K. JADHAV, JJ.
Dated: December 04, 2015

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PER COURT :-

1. These three criminal applications are filed for quashing of the respective complaints. In fact, there are cross complaints. The complainants and accused persons in all these cases have filed affidavits on record, thereby agreeing to settle the matter and requesting to compound the same.

Even application was filed before the trial court for compounding, however, same was rejected as one of the offences in each complaint was not compoundable. The complainants/deponents of the affidavits are before the court, so also, accused in all these cases. They admit their signatures on the affidavit. They also admit the contents of the affidavit. They are identified by the respective counsel. None of the offences involved in the complaint are heinous in nature. Settlement is made so as to maintain peace and harmony and cordial relations as all the accused persons and complainant are resident of the same village and also appear to be in relation with each other.

2. Considering the aforesaid aspects of the matter, we accept the said settlement. The Crime bearing No.95/2008 dated 28.12.2008 registered at Police Station Bardapur, District Beed for the offences punishable under sections 279, 337, 338 of the Indian Penal Code, so also the Crime bearing No.55/2008 dated 1.8.2008 registered with police Station Bardapur, District Beed for the offences punishable under sections 341, 323, 504, 506, read with section 34 of the Indian Penal Code and under section 135 of the Bombay Police Act and Crime bearing No.56/2008 dated 5.8.2008

registered at Police Station Bardapur, District Beed for the offences punishable under sections 147, 148, 149, 324, 504, 506 of the Indian Penal Code, are all quashed and set aside.

3. Criminal Applications accordingly disposed of.

(V.K. JADHAV, J.)

(S V GANGAPURWALA, J.)

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aaa/-