

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

CRIMINAL APPLICATION NO. 5888 OF 2015

RAM S/O PANDHARI GAVALE AND OTHERS
VERSUS
THE STATE OF MAHARASHTRA & OTHERS

...
Advocate for Applicants : Mr. S.J Salunke
APP for Respondents: Mr A G Magre
Advocate for Respondents 2,3 : Shri S.S. Bhise

...
CORAM : S V GANGAPURWALA & V.K. JADHAV, JJ.
Dated: November 23, 2015

...
PER COURT :-

1. The complaint is filed by the present respondent no.2, pursuant to which First Information Report is registered against the present applicants with the police station MIDC Waluj District Aurangabad for an offence punishable under section 285, 308, 338 of the Indian Penal Code.

2. Mr. Salunke, the learned counsel for the applicants submit that the applicants and respondents have settled the matter. Monetary claim is also being satisfied by the present applicants. It is not the case of an intentional act. The respondents have also filed their affidavit accepting that the same is compounded.

3. Respondent no.2 is also present in the court. We have read the affidavits filed by respondents 2 and 3. Respondents no.2 and 3 admit the contents of their affidavit. Respondents no.2 and 3 are identified by their Advocate Mr. Bhise. Even if complaint is perused, there are remote chances of conviction. It would be an

act interse between the parties and certainly offences are not heinous in nature.

4. Considering the aforesaid aspects of the matter, settlement is accepted. The First Information Report bearing No.210/2015 dated 3.8.2015 registered with Police Station M.I.D.C. Waluj, District Aurangabad for an offence punishable under sections 285, 308, 338 of Indian Penal Code is quashed and set aside.

5. Application is disposed of.

(V.K. JADHAV, J.)

(S V GANGAPURWALA, J.)

...

aaa/-