

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

CRIMINAL APPLICATION NO. 6349 OF 2015

Shivaji S/o Ginyandev Nagargoje
and Others .. Applicants

Versus

The State of Maharashtra and Another.. Respondents

Shri N. D. Kendre, Advocate for Applicants.
Kum. R. P. Gaur, A. P. P. for the Respondent No. 1.

WITH

CRIMINAL APPLICATION NO. 6244 OF 2015

Narhari Bansi Nagargoje and Others .. Applicants

Versus

The State of Maharashtra and Another.. Respondents

Shri Arun V. Rakh, Advocate for Applicants.
Kum. R. P. Gaur, A. P. P. for the Respondent No. 1.

**CORAM : S. V. GANGAPURWALA AND
V. K. JADHAV, JJ.**

Date : 05TH DECEMBER, 2015.

PER COURT :-

1. Leave to correct name of respondent No. 2 in Criminal Application No. 6244 of 2015.
2. Leave to correct prayer clause in Criminal Application No. 6349 of 2015.

3. Criminal application 6349 of 2015 is filed for quashing the Sessions Case No. 31 of 2014 pending before the learned Additional Sessions Judge, Majalgaon for the offences punishable under Sections 307, 324, 143, 147, 148, 149, 323, 504 and 506 of the Indian Penal Code.

4. Criminal application No. 6244 of 2015 is filed for quashing Sessions Case No. 32 of 2014 pending before the learned Additional Sessions Judge, Majalgaon arising out of Crime No. 135 of 2013, registered with Majalgaon Rural Police Station, for the offences punishable under Sections 307, 324, 143, 147, 148, 149, 323, 504 and 506 of the Indian Penal Code.

5. There are cross complaints. The complainants in both these offences have filed their affidavits stating that, the matter is settled between them. They are residents of the same village and to maintain peace and tranquility in the village the matter is settled.

6. The injured persons have also filed their affidavits. The complainants and the applicants are identified by the respective counsel. They admit the contents of their affidavits.

7. We have gone through the complaints and the injury certificates. The injury certificates produced on record show the injuries as simple injuries, as such, the chances of conviction under Section 307 of the I. P. C. in both the

complaints are also remote. The offences under Section 307 of the I. P. C. can be compounded in exceptional cases, wherein, after going through the record it transpires that, the chances of conviction would be remote. The present case is one of it. In none of the injury certificates the injuries are stated to be grievous.

8. Considering the aforesaid aspects of the matter, we accept the said settlement.

9. In view of the above conspectus of the matter, the Sessions Case No. 31 of 2014 and 32 of 2014 pending with the Additional Sessions Judge, Majalgaon, District - Beed for offence punishable under Sections 307, 324, 143, 147, 148, 149, 323, 504 and 506 of Indian Penal Code, are quashed and set aside.

10 Criminal applications disposed of.

[V. K. JADHAV, J.]

[S. V. GANGAPURWALA, J.]

sam/Dec. 15