

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

CRIMINAL APPLICATION NO. 6712 OF 2015

ASHOK KRISHNAJI AAGHAV AND OTHERS
VERSUS
THE STATE OF MAHARASHTRA & ANOTHER

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Advocate for Applicants : Mr. N. L. Choudhari
APP for Respondent No. 1 : Mr. D. R. Kale
Advocate for Respondent No. 2 : Mr. Suneet S. Suvarna

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

DATED : 21st DECEMBER, 2015

P.C. :-

1. The present application is filed for quashing of the complaint pursuant to which, RCC bearing No. 588/15 is registered. The same is pending.

2. The learned counsel for applicants submits that the applicants and respondent No.2 are the residents of same locality and due to misunderstanding, the complaint was filed. The parties have settled the matter with a view to maintain cordial relations. The complainant Devendra Chandrakant Sonar is present before the Court. He is identified by his advocate. He accepts that the matter is settled between them and he has no grievance against the applicants.

3. The offence punishable under Section 307 of IPC is in the category of heinous offences and settlement in such offence can be

accepted only in exceptional cases, as is held by the Apex Court in the case of ***Narindar Singh vs. State of Punjab and Another***, reported in ***(2014) 6 SCC 466***.

4. The injury certificate is produced on record. The same depicts simple injury. Chances of conviction under Section 307 of IPC are also remote. The parties have also filed a joint application stating about settlement.

5. The parties appear to be residing in the same area of Dhule city and they have settled the matter with a view to maintain cordial relations and to end enmity.

6. Considering the aforesaid conspectus of the matter, we accept the same. The complaint filed by respondent No.2 for the offences punishable under Sections 307, 395, 143, 147, 149, 452, 323, 324, 326, 504, 506(2) of I.P.C. bearing Misc. Criminal Application No. 845/2014, pursuant to which, RCC No. 588/15 is registered, is quashed and set aside.

7. Criminal Application is accordingly disposed of.

(V. K. JADHAV, J.)

(S. V. GANGAPURWALA, J.)