

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

Criminal Appeal No.357 of 2014

(Datta Sopan Khanzode
vs.
Ramchandra Namdeo Khanzode and others)

=====

Office notes, Office Memoranda of
Coram, appearances, Court's orders
or directions and Registrar's orders.

=====

Court's or Judge's Orders

Mr. R.P. Ghanwan, Advocate for the Appellant.
Mr. A.V. Lokhande, Advocate for Respondent Nos.1 to 3.
Mr. D.B. Patel, A.P.P. for Respondent No.4.

CORAM : PRASANNA B. VARALE, J.

DATE : FEBRUARY 05, 2015.

Heard the learned Counsel appearing for the parties.

The appeal is presented in challenge to the judgment and order passed by the learned Sessions Judge, Washim, dated 30/04/2014. The learned Judicial Magistrate First Class, Risod in R.C.C. No.63/2002 by judgment and order, though acquitted the accused for the offence punishable under Section 325 read with Section 34 of the Indian Penal Code, convicted them for the offence punishable under Section 324 read with Section 34 of the Indian Penal Code awarding sentence of simple imprisonment of two years with fine and in default, further simple imprisonment for one month. The learned Sessions Judge allowed the appeal partly. Being aggrieved, the appellant-Datta Khanzode presented the appeal.

The learned Counsel appearing for the parties submitted that the parties are arrived at a settlement. The terms of compromise duly signed by the parties, namely the appellant, respondents and their Counsel, shows that the parties being the closed relations *inter se* and the dispute was on account of fencing of boundary of the agricultural fields, they arrived at a conclusion that in spite of keeping the terms strained and relations distant and with a view to maintain good relations in future, agreed that they will not obstruct in the way of each others and allow a peaceful enjoyment of the ingress and egress to the fields.

Considering the fact that the parties are in close relations to each others and a better sense prevails over the parties in arriving at a compromise and keeping the good relations in future, the parties have settled their dispute.

In view of the settlement arrived at between the parties, the appeal is disposed of in accordance with the terms placed on record by way of compromise petition signed by the parties.

JUDGE

*sdw