

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

CRIMINAL APPLICATION NO. 55 OF 2016

Badrinath s/o Dhondiram Lipane **APPLICANTS**
and others

V E R S U S

The State of Maharashtra and others **RESPONDENTS**

Mr. N.S. Ghanekar, Advocate for the Applicants
Mrs. R.L. Ladda, A.P.P. for Respondent No.1 – State
Mr. A.S. Shejwal, Advocate for Respondent Nos. 2 & 3

**CORAM : A.V. NIRGUDE &
INDIRA K. JAIN, JJ.**

DATE : 16th March, 2016

PER COURT :

1. The complainant and other injured persons are present before the Court and they are identified by their Advocate Mr. A.S. Shejwal. Applicants are appellants in Criminal Appeal No.132 of 2013 and in Criminal Appeal No. 144 of 2013, which are pending before the learned Sessions Judge, Aurangabad. The applicants – accused are convicted for

committing offence punishable under Sections 326, 506 read with Section 34 of the Indian Penal code. They were sentenced to suffer rigorous imprisonment for two years for the offence punishable under Section 326 read with Section 34 of the Indian Penal code and for one year for the offence punishable under Section 506 read with Section 34 of the Indian Penal Code. The complainants are present before the Court. They are injured persons in this case. They have filed affidavit stating that they have settled the dispute between them. They are aware that this application is required to be filed because offences alleged against the accused are not compoundable.

2. Having regard to facts of the case, we find that this is suitable case where we can use our powers under Section 482 of Criminal Procedure Code. In view of above, we allow this application in terms of prayer clause '**B**'.

(INDIRA K. JAIN, J.)

(A.V. NIRGUDE, J.)