

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

CRIMINAL WRIT PETITION NO. 1297 OF 2015

Murchand s/o Hari Bhat & Ors.

... **Petitioners**

VERSUS

The State of Maharashtra & Anr.

... **Respondents**

.....

Mr P. K. Joshi, Advocate for petitioners

Ms A. V. Gondhalekar, APP for respondent/State

Mr M. S. Bhosale, Advocate for respondent No. 2

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

DATE : **11TH FEBRUARY, 2016.**

PER COURT:

. The petitioners are accused in Crime No. I-224 of 2014, registered at Sangamner Police Station for offences punishable under Sections 384, 387, 120(B), 153(A), 503 read with 34 of the Indian Penal Code. The investigation is over and the charge-sheet is also filed. Case is now pending before the trial Court. The petitioners challenge the legality of the entire allegations. They sought quashing of the case. The allegations made against the petitioners in short can be stated as under : -

. The petitioners belong to a particular community which is probably VJNT. There occurred a matrimonial dispute between two families of this community. In order to solve the dispute, community decided to hold a meeting. The petitioners were appointed as panch. The petitioners thereafter sent oral notices to the disputing families to attend such meeting at Sangamner. The complainant alleged that, petitioners, who acted as panch, threatened him and his family members at the time of meeting that they should settle the dispute by withdrawing all allegations made against the groom family. He also alleged that he was asked to pay Rs. 10,000/-. From the deposition, it is indicated that the amount charged was not as fine or penalty but was on account of expenses incurred by panch members for attending the meeting. It is also indicated in the statement that, the petitioners/panch adjourned the meeting and postponed it to future date. The dispute between the families thus remained unresolved. We are told that ultimately the dispute between the families over matrimony is over and settled. Yet the bride's family made this complaint in respect of the incident that took place in community meeting. We are aware that, in various communities there are panch mandals which try to settle disputes between the members of community. To that extent such work is beneficial to society. We are also aware that, in some societies

panch mandals cross their limits and try harsh methods. Such activities are already considered to be detrimental and would amount even to offences. Such acts on the part of the panch mandal are required to be curbed. However, in the facts and circumstances of this case, we do not find that the incident amounted to an offence. The amount which they collected from the complainant was apparently towards the costs and expenses. Since the dispute between the parties for whom the petitioners worked as panch mandal is now over. It would be far-fetched to take this case further. Time has come to put an end to this case. The petitioners, who are educated members and some of them are also Advocates, are requested not to indulge in overbearing activities.

2. Petition is allowed in terms of prayer clause 'C'.

[INDIRA K. JAIN]
JUDGE

[A. V. NIRGUDE]
JUDGE

sgp