

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
WRIT PETITION NO.3529 OF 2016

Kuldeep Babanrao Karale ...Petitioner
vs.
State of Maharashtra & Anr. ...Respondents

Mr.Sandesh More for the Petitioner
Mr.K.V.Saste, APP for the respondent No.1
Ms Preeti Chavan for respondent No.2

CORAM : A.S.OKA, &
A.A.SAYED, JJ.
DATE : OCTOBER 15, 2016

1 Mentioned at the end of the day. Rule. The
learned APP waives service for the first respondent.
The learned counsel for the second respondent waives
service. Forthwith taken up for final hearing.

2 The prayer in this application is for quashing the offence punishable under sections 325, 323 and 504 of the Indian Penal Code. All the offences alleged against the petitioner are compoundable offences. There is an affidavit filed by the second respondent (first informant) that the parties have decided to compound the offences. Considering the fact that the offences are compoundable offences, this is a fit case to exercise power under section 482 of the Code of Criminal Procedure, 1973 as the offences are not of serious nature and the offences are not against the society at large.

3 Accordingly, we pass the following order:

(I) Rule is made absolute in terms of prayer clause (B) which reads thus:

"(B) The present petition may kindly be allowed and the C.R.No.168 of 2016 registered with the Respondent No.1 i.e Marine Drive Police Station, Mumbai under sections 325, 323 and 504 of the I.P.C against the petitioner wherein the petitioner is the original accused, may kindly be quashed and set aside and the petitioner may kindly be permitted to compound the said matter with the original informant i.e the respondent No.2."

(II) All concerned to act upon an authenticated copy of this order.

(A.A.SAYED,J.)

(A.S.OKA,J.)