

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO. 1363 OF 2016

1. Uday Ramesh Patil
 2. Rohit Ramesh Patil
 3. Rohini Ramesh Patil
 4. Ambika Uday Patil
 5. Aditya @ Aditraj Laxmikant Dayma
 6. Shivanand @ Prashant Gurusidappa Patil
 7. Mallikarjun Siddaram Patil
 8. Anand @ Chandu Prahlad Pawar
 9. Sameer Suryakant Varjirkar
 10. Girish Mallinath Kiwde
 11. Mahesh @ Balu Shivshankar Mane
 12. Shubham Suryakant Wale
 13. Bharat Prabhakar Kale
 14. Datta Bhimrao Garad
- ... Applicants

vs.

1. The State of Maharashtra
(At the instance of Sadar Bazar
Police Station, District Solapur
vide C.R.No.479/2016)
 2. Ravikant Shankarappa Patil
- ... Respondents

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Mr. V. V. Purwant a/w Mr. Vikrant Phatale for the Applicants.
Mrs. M. H. Mhatre, APP for Respondent No.1-State.
Mr. Prashant Kamble for Respondent No.2.

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**CORAM : V. M. KANADE AND
Ms. NUTAN D. SARDESSAI, JJ.**

DATE : NOVEMBER 29, 2016

P.C.:

1. Heard the learned counsel appearing on behalf of the applicants and the learned counsel appearing on behalf of respondent no.2.

2. Respondent No.2 is the uncle of the applicant nos. 1 and 2. Respondent no.3 is the mother of respondent nos. 1 and 2 and respondent no.4 is the wife of respondent no.1. They are all living in a joint family. The other applicants are either their servants or friends and neighbours. Over a minor dispute, there was some altercation between the applicants and respondent no.2 and it is alleged in the complaint that they assaulted respondent no.2. A complaint was lodged by respondent no.2, which was registered as an F.I.R. vide C.R.No.479/2016 at Sadar Bazar Police Station, Solapur for the offences punishable under Sections 143, 147, 149, 323, 327, 504 and 506 of the Indian Penal Code. The parties are now amicably settling the dispute taking into consideration the family relations between them. Respondent no.2 has filed a reply stating therein that he has no objection if the complaint is quashed and if his nephews and the other relatives are arrested, it will lower the prestige of the family in society. We appreciate the stand taken by respondent no.2 who is present in Court today.

3. We have perused the contents of the First Information Report. We are of the view that it is purely a personal dispute between the parties. Respondent no. 2 had taken both, the lock and the key of a hall in the house, and in the evening, when he returned,

his nephews and others abused him and tried to assault him.

4. The ratio of the judgment *Gian Singh vs. State of Punjab & Another*, reported in **(2012) 10 SCC 303** squarely applies to the facts of the present case. Quashing of the dispute will help the applicants as well as the respondent no.2 in creating further family bonds between them. Taking into consideration all these circumstances, we allow the Application in terms of prayer clause(a).

5. The Criminal Application is accordingly disposed of.

(Ms. NUTAN D. SARDESSAI, J.)

(V. M. KANADE, J.)