

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

CRIMINAL APPLICATION NO. 3184 OF 2017

Dadasaheb S/o. Ramesh Borde,
Age : 32 years, Occu. Driver &
Private Work of Milk Dairy,
R/o. Malwadgaon, Tq. Shrirampur,
Dist. Ahmednagar.

Applicant...

Versus

1. The State of Maharashtra
Through Investigating Officer,
Shrirampur Police Station,
Tq. Shrirampur, Dist. Ahmednagar.

2. Subhash S/o. Maruti Jagtap,
Age : 37 years, Occu. Agri.,
R/o. Takalibhan, Tq. Shrirampur,
Dist. Ahmednagar.

Respondents...

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Mr N. B. Narwade, Advocate for the applicant
Mr V. M. Kagne, APP for respondent/State
Mr V. B. Anjanwatikar, Advocate for respondent No. 2
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**CORAM : R. M. BORDE &
A. M. DHAVAL, JJ.**

DATE : 3RD JULY, 2017.

ORAL JUDGMENT (Per R. M. Borde, J.) :-

. Rule. Rule made returnable forthwith. Heard finally with the consent of the parties and taken up for final disposal at admission stage.

2. By this application, the applicant seeks quashment of the proceedings initiated against him at the instance of respondent No. 2 in pursuance to lodging of First Information Report No. I-59/2017 registered with Shrirampur Taluka Police Station, Dist. Ahmednagar, for the offences punishable u/s 326, 323, 504, 506 of the Indian Penal Code.

3. It appears that, respondent No. 2 sustained one fracture injury on account of assault launched by the petitioner. It is informed that, the parties i.e. petitioner and respondent No. 2 have decided to settle the differences between them and affidavit to that effect signed by both the parties has been presented. Same is taken on record and marked as "X" for the purpose of identification. Both the parties i.e. the complainant and the accused have been identified by their respective advocates. Respondent No. 2 has admitted to have received the compensation of Rs. 50,000/- from the petitioner. The petitioner has also agreed to deposit Rs. 25,000/- voluntarily with the High Court Legal Aid Services Authority at Aurangabad. The amount be deposited as undertaken forthwith.

4. Considering the facts and circumstances of the case and the decision of the parties to settle their differences with a view to

maintain harmonious relations in future and in view of the parameters laid down by the Hon'ble Supreme Court in the matter of *Narinder Singh And Others Versus State of Punjab And Another* reported in (2014) 6 SCC 466, according to us, this is a fit case for directing the quashment of the criminal proceedings. For the reasons recorded above, the criminal proceedings in the shape of Crime No. I-59/2017 registered with Shrirampur Taluka Police Station, Dist. Ahmednagar, for the offences punishable u/s 326, 323, 504, 506 of the Indian Penal Code, stand quashed.

5. Rule made absolute accordingly.

[A. M. DHAVALA]
JUDGE

[R. M. BORDE]
JUDGE

sgp