

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

CRIMINAL APPLICATION NO. 3850 OF 2017

1. Satish S/o Soma Wade,
Age : 30 years, Occu. Agri & Business,
2. Jitendra S/o Soma Wade,
Age : 25 years, Occu. Business,
Both R/o. Taramati Nagar,
Chopda, Tq. Chopda, District Jalgaon.
3. Vishal S/o Arjun Sandanshiv,
Age : 29 years, Occu. Student,
R/o. Bhai Kotwal Road,
Chopda, Tq. Chopda, District Jalgaon. ... Applicants

VERSUS

1. The State of Maharashtra.
2. Dhanraj S/o Vasant Badge,
Age ; 36 years, Occu. Service,
R/o. Cahardi, Tq. Chopda,
District Jalgaon. ... Respondents

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Mr Sunil B. Jadhav, Advocate for the applicants
Mr K. N. Lokhande, APP for respondent/State
Mr B. G. Deshmukh, Advocate for respondent No. 2
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CORAM : **S. S. SHINDE &
A. M. DHAVALA, JJ.**

DATE : **22.08.2017.**

ORAL JUDGMENT (Per S. S. Shinde, J.) :

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

2. Pursuant to the notice issued by this Court, the applicants and respondent No. 2 have filed compromise terms and in support of those terms, affidavit is sworn in. The applicants and informant/respondent No. 2 are present before the Court. The parties are identified by their respective counsel.

3. On interaction with respondent No. 2, he submitted that the compromise arrived at between the parties is their voluntary act and without any coercion and he has no objection to quash the FIR registered against the applicants. Since the compromise terms are on record, same needs no reiteration.

4. In the light of the compromise arrived at between the parties and on interaction with respondent No. 2, he has stated that he has decided not to proceed with the allegations in the FIR. No fruitful purpose would be served by further investigation of the FIR bearing No.68/2017 registered with Chopda City Police Station, Jalgaon, for the offence punishable under Sections 420, 120B, 468, 467, 406, 200, 504 r/w 34 of the IPC, and continuation of proceedings arising therefrom. Therefore, keeping in mind the exposition of law by the Hon'ble Apex Court in the matter of Gian Singh Versus State of Punjab and Another reported in (2012) 10 SCC 303 in order to secure the ends of justice and to prevent the abuse of process of the Court, we are inclined to accept the compromise terms. Hence, the following order.

ORDER

[I] Criminal Application stands allowed in terms of prayer clause 'A'.

5. Rule made absolute in above terms. No costs.

[A. M. DHAVALA]
JUDGE

[S. S. SHINDE]
JUDGE

sgp