

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION
CRIMINAL APPLICATION NO.428 OF 2017

Gaurav Kiran Naikwadi and

Ors.

.....Applicants

V/s.

The State of Maharashtra

& Anr.

.....Respondents

Mr. Manoj M. Badgujar, Advocate for Applicant.

Mr. H.J.Dedhia, APP for Respondent-State.

Mr. R.A.Naik i/by Mr. Umesh Mankapure, Advocates for
Original Complainant.

**CORAM : SMT. V.K. TAHILRAMANI, &
SANDEEP K. SHINDE, JJ.**

DATE : July 31, 2017.

P.C. :

Heard the learned counsel for the
applicant/accused, the learned counsel for the complainant
and the learned APP for the State.

2 This application has been preferred for quashing
of the F.I.R.No.117 of 2017 which is under Sections 143,
147, 148, 149, 452, 336 and 427 of IPC and Sections 3, 25
and 27(1) of the Arms Act and Section 135 of the Bombay

Police Act. In the said case, charge-sheet has been filed and it is numbered as 158/2017 pending before the J.M.F.C., Islampur, Sangli.

3 The learned counsel for the complainant has tendered affidavit of the complainant. The said affidavit is taken on record and marked '**X' for Identification**'. In the said affidavit, the complainant has stated that in the victory procession relating to the election, some unknown persons pelted stones at her house. However, as accused persons were part of the procession, she was under the impression that throwing of stones was instigated by accused persons. Hence, she filed FIR against them. She has further stated that she as well as accused persons are residents of the same village and hence, to maintain peace and harmony between the parties and in the village, she has decided to settle the disputes with the accused persons.

4 Parties have amicably settled the disputes amongst themselves. It can also be seen that even if in the

present case, we permit trial to go on, it will lead to nothing else but acquittal. However, if the trial proceeds, it will result in nothing but leading to turmoil in the lives of the accused persons and the complainant. Thus, in view of the facts and circumstances of the present case, it is fit case for exercising powers under Section 482 of the Cr.P.C. and to give an end to criminal litigation between the complainant and the accused persons. Hence, FIR and the proceedings relating thereto are quashed and set aside.

Application is allowed in above terms.

(SANDEEP K. SHINDE, J)

(SMT. V.K. TAHILRAMANI, J)