

2. Perused the record, considered the submissions advanced. The

allegations made by the complainant against the applicants are that of forging documents, break opening the lock, assaulting, threatening of dire consequences and assaulting women members of family.

3. With these allegations, investigation was carried out and chargesheet bearing Case No.338/PW/2016 is filed. The applicants also filed a complaint and FIR was registered. The Counsel appearing for respondent no.2 submits that Writ Petition No.2982/2014 has been filed by the Complainant in this Court challenging the registration of FIR. Learned Counsel submits that on 30th September, 2014 Division Bench of this Court passed an order directing respondents not to file charge-sheet arising out of C.R. no.259 of 2014 dated 21st June, 2014. The observations made by the Court in Paragraph-4 of the order reads as under:

“We suggest that since the parties are very close relatives, they may consider referring the matter through a Mediator which may be considered on the next date. Parties to act on the authenticated copy of this order.”

4. It is informed that the parties are related as brothers and

sisters. More the reason that process of mediation be invoked by the parties. The learned Counsel appearing for parties submit that in the past some such efforts were made to refer the matter for mediation but were not successful. In case both the parties still agree for mediation, they are free to suggest the name of Mediator and get the matter referred for mediation.

5. Both the learned Counsel submit that they would make an effort to refer the matter for mediation through Mediator Mr.Niranjan Mundargi, Advocate. In case parties agree for mediation, the matter be referred for mediation.

6. On the merits of petition, we observe that applicants are at liberty to resort to appropriate remedy as may be available under Criminal Procedure Code. The applicants are at liberty to submit discharge application. If such an application is filed within two weeks, we direct the trial Court to deal with such an application on its own merits.

7. It is clarified that we have not expressed any opinion on the merits of the case. Criminal Application stands disposed of.

(NITIN W. SAMBRE, J)

(NARESH H. PATIL, J.)

L.S. Panjwani, P.S.