

***IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION***

CRIMINAL APPLICATION NO. 1129 OF 2016

1 Mr. Anurag Bindupal Singh & Anr. ... Applicants

Vs

1 The State of Maharashtra & Anr. ... Respondents

Ms. Raksha R. Dhotre i/b Mr.Himanshu Shinde for the Applicants.

Mr. K.V. Saste, APP, for the Respondent No.1-State.

***CORAM : S.C. DHARMADHIKARI &
PRAKASH D. NAIK, JJ.***

THURSDAY, 6TH APRIL, 2017

P.C. :

1 The application is filed for quashing of an FIR registered on 12th May, 2016, bearing No.251 of 2016 by the Oshiwara Police Station. The offences punishable are under sections 323, 324, 504, 34 and 427 of the Indian Penal Code.

2 We have perused this FIR. Reading it as a whole, we are satisfied that it discloses commission of a cognizable offence.

This Court was informed that there is a settlement. How a settlement could have been arrived at and in such matters which has affected the larger interest of the society has not been clarified. Respondent Nos.2 and 3 are before this Court and it is stated that they are the original complainants. However, there is another injured victim. He has not been brought before this Court.

3 Upon such an application we find that repeatedly this Court is being taken for a ride by informing that there is a proposal for settlement and the matter is likely to be settled between the two factions / warring groups. The request for adjournment was made even today. We find that this application was earlier before a Division Bench of this Court, initially dismissed in the morning session and again restored. After restoration also, it was informed that the matter is settled. In the hope that people have reconciled and are genuinely apologetic for their acts, this Court indulges the parties and their advocates and by placing matters under the caption of settlement. However, we find that there are never any genuine or *bona fide* attempts and in the process the accused only kill time. This time may be

utilized either to win over the witnesses or to influence the investigation. Therefore, we refuse the request for adjournment made on behalf of Mr. Shinde. We dismiss this Criminal Application.

PRAKASH D. NAIK, J.

S.C. DHARMADHIKARI, J.