

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH : NAGPUR

Criminal Application (APL) No.141/2014

(Madhao Prakash Aglave & another -vs.- State of Maharashtra & 2 Others)

Office Notes, Office Memoranda of Coram,
appearances, Court's orders or directions
and Registrar's orders

Court's or Judge's orders.

Mr. Vaibhav N. Patre, Advocate for Applicant.
Mr. B.M. Lonare, AGP for Non-applicant No.1.

**CORAM : R.K. DESHPANDE &
MANISH PITALE, JJ.**

DATE : 14.08.2017.

It is not disputed that the controversy involved in the present matter is covered by the decision of Division Bench of this Court rendered on 21.11.2014 in **Criminal Application (APL) No.638 of 2014** and other connected matters. Paragraph No.5 of the application being relevant is reproduced below :-

*“However, now taking into consideration the fact that everybody is a resident of the same village and in order to maintain harmonious peace in the village, the rival groups have resolved to give an end to the criminal proceedings and to live peacefully. The Apex Court in the case of **Narinder Singh and others vs. State of Punjab and another, reported in 2014(4) Scale, 195** has laid down the parameters to be taken into consideration by the Court while exercising powers under Section 482 of the Code of Criminal Procedure for quashing the First Information Reports. One of the parameters*

is if there is no remote possibility that the trial would end into conviction. In the present case, since both the parties have arrived at the settlement, there is no remote possibility of the trial being ended into conviction. In that view of the matter, the applications are allowed.”

In view of the above situation, the present criminal application needs to be allowed. Hence, for the reasons stated above, we quashed and set aside F.I.R. No.18/2014 lodged by Dhanraj Kisan Bhaware for the offence punishable under Sections 143, 336, 427, 506 of the Indian Penal Code and Sections 3(1)(x) of the Scheduled Caste and Scheduled Tribes (Prevention of Atrocities) Act, 1989 on 19.01.2014 in the Police Station at Umarkhed.

The application is allowed accordingly.

JUDGE

JUDGE