

IN THE HIGH COURT OF JUDICATURE AT BOMBAY:
NAGPUR BENCH : NAGPUR
Criminal Revision No. 203 of 2006
[Deepak Raghoji Khadse & two others Vs. State of Mah. Shirpur PS,
Tq. Malegaon, Distt. Washim]

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

Court's or Judge's orders

Mr. M. P. Kariya, Adv., for the applicants.
Mr. T. A. Mirza, APP for respondent.

CORAM : A. S. CHANDURKAR, J.

DATE : 12st October, 2017

The applicants herein have challenged their conviction by the learned Judicial Magistrate, First Class, for offence committed under Sections 324 and 325 of the Indian Penal Code. This conviction has been maintained by the appellate Court.

During pendency of present proceedings, the complainant has filed an affidavit in which it is stated that on account of some misunderstanding between the parties, the report in question came to be lodged. It is stated that the applicants and the complainant used to work together and hence it is stated that the offence in question be compounded. The applicants are present in Court today. The complainant is also present.

Reliance is placed on the judgment reported in
Shakar Yadav & another Vs. State of Chhattisgarh

[2017 AIR (SC) 3531] wherein it is held that if the offence in question is committed prior to 23rd June, 2006, same can be compounded. In the present case, the offence occurred on 24th September, 2000. In view of this, the offence in question can be compounded.

In view of affidavit filed on behalf of the complainant and the judgment referred to herein above, the following order is passed:-

ORDER

In view of the compromise between the parties which is supported by an affidavit of the informant, it is held that the offence in question stands compounded. The applicants are accordingly acquitted. The judgment in Regular Criminal Case No. 123 of 2000 as well as judgment in Criminal Appeal No. 64 of 2002 are set aside in so far as the present applicants are concerned who are original accused nos. 1 to 3 before the trial Court.

The applicants are accordingly acquitted. Revision Application is allowed and disposed of.

Judge

