

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

CRIMINAL APPLICATION NO. 865 OF 2018

1. Namdeo Hari Ambekar
Age: 73 years, Occu: Agril
2. Karbhari Namdeo Ambekar
Age : 45 years, Occu: Agril
3. Pandharinath Namdeo Ambekar,
Age: 33 years, Occu: Agril.
4. Walmik Dadarao Ambekar,
Age : 30 years, Occu: Agril.

All R/o. Sarai, Tq. Khultabad,
Dist. Aurangabad.

5. Babasaheb Tejrao Sonawane
Age: 42 years, Occu: Agril.
R/o. Gadana, Tq. Khultabad,
Dist. Aurangabad.

Applicants
(Ori. accused)

VERSUS

1. The State of Maharashtra,
through its Police Station Khultabad, Tq.
Khultabad, Dist. Aurangabad.

(Copy to be served on Public Prosecutor
of High Court of Bombay Bench at
Aurangabad.)

2. Ankush Karbhari Nage
Age : 33 years, Occu : Agril.
R/o. Sarai, Tq. Khultabad,
Dist. Aurangabad.

Respondents
(Orig. informant)

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Advocate for Applicants : Ms. S. V. Salunke h/f Chavan Sudhir K.
APP for Respondent – State: Mrs. V. S. Chaudhary
Advocate for Respondent No.2 : Mr. S. S. Shete

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**CORAM : T.V. NALAWADE &
K. L. WADANE, JJ.**

DATE : 17th July, 2018

ORAL JUDGMENT:

1. Rule. Rule made returnable forthwith. With the consent of the parties, the application is taken up for final hearing.
2. The proceeding is filed under Section 482 of the Code of Criminal Procedure, for the relief of quashing of FIR No.76/2013 registered with Khultabad Police Station, Taluka Khultabad, District Aurangabad for the offences punishable under Section 325, 324, 323, 504, 506, 143, 147, 148 and 149 of the Indian Penal Code.
3. Heard, learned counsel for the applicants, learned APP for the Respondent No. 1 - State and learned counsel for the respondent No. 2.
4. The crime is registered on the basis of report given by respondent No. 2. Today the counsel for the applicants and respondent No. 2 filed on record compromise document with affidavit and verification.

5. This Court has seen the injury certificate. The record shows that the dispute was over right to use of particular portion of agricultural land as way. In view of the nature of the dispute and the terms of the settlement and as the parties want to live peaceful life, this Court holds that the relief claimed needs to be given. All the three witnesses of the matter including injured witness have filed affidavit in support of the prayer made in the application.

6. In the result, application is allowed. Relief is granted in terms of prayer clause (B).

7. Rule is made absolute in the aforesaid terms.

(K. L. WADANE, J.)

(T.V. NALAWADE, J.)