

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

CRIMINAL APPLICATION NO. 1633 OF 2018

- 1] Pandurang S/o Ramkrushna Revanwar,
Age : 33 Years, Occ. Business,
R/o. Nagareshwar Galli, Gangakhed,
Tq. Gangakhed, Dist. Parbhani.
- 2] Shrikant S/o Ramkrushna Revanwar,
Age : 30 Years, Occ. Business,
R/o. Janabai Mandir Road,
Gangakhed, Tq. Gangakhed,
Dist. Parbhani – 431514
- 3] Ramkrushna @ Ramkishan S/o Nagnath
Revanwar,
Age : 62 Years, Occ. Business
R/o. Janabai Mandir Road,
Gangakhed, Tq. Gangakhed,
Dist. Parbhani.

.. PETITIONERS

VERSUS

1. The State of Maharashtra
2. Ganesh Prabhakar Rao Yanpallewar,
Age : 40 Years, Occ. Business,
R/o. Daithna, Tq and District
Parbhani.

..RESPONDENTS

...

Advocate for Applicant : Mr. A. U. Pawar
APP for Respondents: Mr. D.S. Jape
Advocate for respondent no. 2 : Mr. S. B. Chavan

...

**CORAM :T.V. NALAWADE AND
SMT.VIBHA KANKANWADI,JJ.
DATE :17th OCTOBER, 2018.**

JUDGMENT(Per T.V. NALWADE, J] :-

Rule. Rule made returnable forthwith. By consent heard both the sides for final disposal.

2] The proceeding is filed under Section 482 of the Code of Criminal Procedure for relief of quashing of FIR No. 240/2017 registered with Gangakhed Police Station, District Parbhani for the offences punishable under Section 307, 326, 324 read with 34 of the Indian Penal Code. The crime is registered on the basis of report given by respondent Ganesh Yanpallewar. Incident in question took place on 29/05/2017. Present applicants and Ganesh are vegetable vendors and they used to sell vegetable in a temporary structure (by erecting tent) in weekly market of Gangakhed. On the day of incident there was day of weekly market. The complainant had already set up his structure but the applicants came there and started erecting their structure in front of structure of complainant, by creating obstruction to the business of the complainant. Then quarrel started, during the quarrel applicant nos. 2 and 3 caught hold to the complainant/respondent no.2 and applicant/accused no.1 Pandurang had given a blow of knife on the abdomen of the complainant. This Court has seen the injury certificate which show that one CLW was found on upper left side of abdomen portion of the complainant/respondent no.2 having size of 3X2x1 Cm. Some witnesses were present when the incident took place.

3] During the argument, learned counsels of applicants and respondent no.2 submitted that parties have amicably settled the dispute. The compromise terms are filed on record and affidavit of injured is also filed on record. In view of this circumstances, the nature of dispute and occupation of the applicants this Court holds that relief needs to be granted. In the result following order :-

ORDER

I] Application is allowed.

II] Relief is granted in terms of prayer clause (B) and (C)

Rule made absolute in those terms.

[SMT.VIBHA KANKANWADI]
JUDGE

[T.V. NALAWADE]
JUDGE

YSK/