

**IN THE HIGH COURT AT BOMBAY
APPELLATE SIDE, BENCH AT AURANGABAD**

CRIMINAL WRIT PETITION NO. 988 OF 2018

1. Abhimanyu Raju Jadhav
Age: 28 yrs. Occu: Business
2. Dhananjay Krishna Jadhav
Age: 32 yrs. Occu: Business
3. Dinanath @Aba Krushna Jadhav
Age: 38 yrs. Occu: Agri.
4. Raju Dattatraya Jadhav
Age: 52 yrs. Occu: Business
5. Dinesh @ Avi Chandrakant Nalla
Age: 26 yrs. Occu: Business
6. Mohsin Tarmohhammad Shaikh
Age: 35 yrs. Occu: Contractorship
7. Rahul Suresh Mutha
Age: 34 yrs. Occu: Service
8. Yogesh Suresh Diwane
Age: 28 yrs. Occu: Service
9. Sumeet Abashaheb IppalPELLI
Age: 27 yrs. Occu: Business

All above R/o Tophkhana,
Tal. Nagar, Dist. Ahmednagar

....Petitioners.

Versus

1. The State of Maharashtra
Through Police Station Officer
Tophkhana Police Station
Tal. Nagar, Dist. Ahmednagar
2. Arjun Narsinh Jajjar
Age: 29 yrs. Occu: Business
R/o 593, Tophkhana
Ahmednagar

Tq. & Dist. Ahmednagar.

...Respondents.

Mr. S.P. Salgar, Advocate for Petitioners.

Mr. S. J. Salgare, APP for respondent No. 1/State.

Mr. N. V. Gaware, Advocate for respondent No.2.

**CORAM :T.V. NALAWADE AND
SMT. VIBHA KANKANWADI, JJ.
DATED : 01/10/2018.**

JUDGMENT : [PER T.V. NALAWADE, J.]

1) On the request made by the learned counsel for applicants, permission is granted to make amendment in the proceeding and to add the relief of quashing of chargesheet itself.

The amendment is to be carried out immediately.

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

3) The proceeding is filed for relief of quashing of F.I.R. No. 164/2016 registered with Tofkhana Police Station, Ahmednagar for offences punishable under sections 326, 504, 149 etc. of Indian Penal Code and section 3 r/w. 25 of Arms Acts and also for relief of quashing of chargesheet filed in this C.R. bearing RCC No. 311/2018.

4) During arguments, the learned counsels for both the

sides have submitted that parties have settled the dispute. The affidavit of the first informant is already produced on the record. Today the affidavit of other injured persons Suraj Jadhav came to be filed. The contents show that parties have settled the dispute and complainant is not intending to give evidence against the applicants. In view of the nature of dispute which is mentioned in F.I.R., this Court holds that relief needs to be granted. In the result, the application is allowed. Relief is granted to the applicants in terms of prayer clause 'B' which include quashing of chargesheet filed in aforesaid C.R. bearing R.C.C. No. 311/2018. The amount of Rs.10,000/- (Rupees ten thousand) is to be deposited by the applicants as cost with the High Court Legal Services Authority within 10 days from today.

Rule is made absolute in aforesaid terms.

[SMT. VIBHA KANKANWADI, J.]

[T.V. NALAWADE, J.]

ssc/

Salim
Shafi
Choudhari

Digitally signed
by Salim Shafi
Choudhari
Date:
2018.10.05
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