

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

CRIMINAL APPLICATION NO. 2096 OF 2018

- 1) Kailas s/o Bhausing Phule,
Age 27 years, Occupation Agriculture,
R/o Radhaswami Colony, Jatwada Road,
Harsool, Aurangabad Tq. Dist.
Aurangabad.
- 2) Subhash s/o Bhausing Phule,
Age 30 years, Occupation Agriculture,
R/o Radhaswami Colony, Jatwada Road,
Harsool, Aurangabad Tq. Dist.
Aurangabad.
- 3) Santosh s/o Pandurang Phule,
Age 27 years, Occupation Agriculture,
R/o Near Vrundawan Hotel,
Chowka Tq. Dist. Aurangabad.
- 4) Prakash @ Raju Kailas Dudhe,
Age 37 years, Occupation Agriculture,
R/o Radhaswami Colony, Jatwada Road,
Harsool, Aurangabad Tq. Dist.
Aurangabad.

...Applicants

Versus

- 1) The State of Maharashtra
Through Investigation Officer,
Phulambri, Police Station Tq. Phulambri,
Dist. Aurangabad.
- 2) Rangnath s/o Hiralal Rathod,
Age 39 years, Occupation Agriculture,
R/o Radhaswami Colony, Jatwada Road,
Harsool, Aurangabad Tq. Dist.
Aurangabad.

...Respondents

Mr. R. V. Gore, Advocate for applicants.

Mr. A. A. Jagatkar, Addl. Public Prosecutor, for respondent No.1 / State.

Mr. J. V. Deshmukh, Advocate holding for Mr. N. A. Matkar, Advocate for respondent No.2.

**CORAM : T. V. NALAWADE &
SMT.VIBHA KANKANWADI. JJ.**

DATE : 07-09-2018.

ORAL JUDGMENT : (PER T. V. NALAWADE, J.)

1. Rule. Rule made absolute forth. By consent heard both the sides for final disposal.

2. The proceeding is filed under Section 482 of Code of Criminal Procedure for the relief of quashing the FIR bearing No. 73 of 2013 registered with Phulambri Police Station Dist. Aurangabad for the offences punishable under Section 326, 323, 504, 506 read with 34 of the Indian Penal Code and also for quashing of the Sessions Case No. 207 of 2016, pending in the Court of learned Additional Sessions Judge, Aurangabad.

3. During arguments, the learned counsels for the applicant and first informant submitted that, parties have settled their dispute. Affidavit of the injured witness who is also first informant Rangnath is filed to that effect. Today itself this Court allowed the proceeding which was filed by Rangnath Rathod bearing No. 2095 of 2018.

4. In view of the nature of the dispute and the nature of the injury which is shown in the injury certificate, this Court holds that, application needs to be allowed. In the result, application is allowed. Relief is granted in terms of prayer Clause 'B'. Rule made absolute in those terms.

(SMT. VIBHA KANKANWADI)
JUDGE

(T. V. NALAWADE)
JUDGE

vjg/-.