

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

938 CRIMINAL APPLICATION NO. 2290 OF 2018

- [1] Gulshanbee Shaikh Mehmood, **APPLICANTS**
Age 60 Years, Occ. Household,
- [2] Shakeelabee W/o Akbar Sayyad,
Age 40 Years, Occ. Household,
- [3] Yasmeenbee S/o Gaffar Sayyad,
Age 40 Years, Occ. Household,
- [4] Shaikh Raju Shaikh Osman,
Age 45 Years, Occ. Labour,
- [5] Shaikh Nijam Shaikh Osman,
Age 65 Years, Occ. Labour,
- [6] Shaikh Lukman Shaikh Osman,
Age 40 Years, Occ. Labour,
- [7] Shaikh Imran Shaikh Lukman,
Age 29 Years, Occ. Household,
- [8] Shaikh Khalidabee W/o Shaikh Shaker,
Age 25 Years, Occ. Household,
- [9] Shaikh Shaker Shaikh Mehmood,
Age 30 Years, Occupation Labour,
- [10] Shaikh Hakim Shaikh Lukman,
Age 28 Years, Occ. Labour,
- [11] Shaikh Sheru Shaikh Raju,
Age 22 Years, Occ. Labour

All resident of Mehboob
Nagar, Harsool, Aurangabad

V E R S U S

- [1] The State of Maharashtra, Through **RESPONDENTS**
the Inspector, Harsool Police
Station, District Aurangabad
- [2] Mrs. Hamidabi W/o Kaseem Khan,
Age 58 Years, Occ. Household,
R/o. Meheboob Nagar, Near Mariyam
Masjid, Harsool, Aurangabad

Mr. A.K. Bhosale, Advocate for the applicants
Mrs. D.S. Jape, APP for respondent No.1/State
Mr. S.S. Jadhav, Advocate for respondent No.2

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**CORAM : T.V. NALAWADE AND
SMT.VIBHA KANKANWADI, JJ.**

DATE : 21st SEPTEMBER, 2018

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

Rule. Rule made returnable forthwith. By
consent, this proceeding is taken up for final
hearing. Heard both the sides.

3. This proceeding is filed under Section 482 of
Cr.P.C. for grant of relief of quashing of F.I.R.

No.88/2018, registered with Harsool Police Station, Aurangabad, for the offences punishable under Sections 307, 452, 324, 504, 506, 143, 147, 148, 149 of Indian Penal Code.

3. During arguments, learned counsel for the applicants and learned counsel for the first informant submitted that the parties have settled the dispute. Affidavit-in-reply of Mrs. Banobee Subhan Shaikh is filed on record, in which it is mentioned that there was no administration of poison by the applicants. According to her, she has no intention to prosecute the matter. The papers of investigation are available and they include the statement of first informant. First informant has also changed her version in her affidavit though in F.I.R. she has made allegations against the applicants. There are Injury Certificates of first informant and Banobee. It appears that simple injuries were caused. Banubee has given statement before Magistrate that she herself consumed poison. In view of the above circumstances and the nature of dispute, this Court holds that relief can be granted to the applicants. Application is allowed in terms of prayer clause "C". Rule made absolute in above terms.

[SMT.VIBHA KANKANWADI, J.]

[T.V. NALAWADE, J.]