

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

Criminal Application No. 02346 of 2018

District : Jalgaon

Gokul s/o. Nimba Mahajan,
Age : 45 years,
Occupation : Agriculture,
R/o. Tarwade, Post Shivare,
Taluka Parola,
District Jalgaon.

.. Applicant.

versus

1. The State of Maharashtra,
Through Police Station Officer,
Parola Police Station,
Taluka Parola,
District Jalgaon.

2. Sagar s/o. Gokul Mahajan,
Age : 21 years,
Occupation : Education,
R/o. Tarwade, Post Shivare,
Taluka Parola, Dist. Jalgaon.

.. Respondents.

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Mr. Amol B. Chalak, Advocate, for the applicant.

*Mr. R.V. Dasalkar, Additional Public Prosecutor,
for respondent no.01.*

Mr. Pratik A. Bhosle, Advocate, for respondent no.02.

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**CORAM : T.V. NALWADE &
SMT. VIBHA KANKANWADI, JJ.**

DATE : 05TH OCTOBER 2018

ORAL JUDGMENT [Per Court] :

01. Rule. Rule made returnable forthwith. By consent, heard finally.

02. By the present application filed under Section 482 of the Code of Criminal Procedure, 1973, the applicant - original accused is praying for quashment of first information report in Crime No. 121/2018, dated 10.06.2018, registered at Police Station, Parola, District Jalgaon, for offences punishable under Sections 307 and 510 of the Indian Penal Code.

03. During arguments, learned Advocate for the applicant and the learned Advocate for respondent no.02 - first informant submitted that the report was given by Sagar, son of the applicant and they have settled the dispute. Affidavit of Sagar s/o. Gokul Mahajan is filed. Today, affidavit of mother of the first informant, namely, Smt. Manishabai w/o. Gokul Mahajan, is filed.

04. The incident took place in kitchen of the house and out of petty quarrel between the applicant and his wife Manishabai. The injury certificate shows lacerated wound over right side of abdomen, abrasion over neck and blunt trauma over head.

05. In view of the nature of allegations and aforesaid circumstances, this Court holds that the relief prayed in the application deserves to be granted.

06. Hence, the following order :-

(a) The application is allowed.

(b) The first information report in Crime No. 121/2018, dated 10.06.2018, registered at Police Station, Parola, District Jalgaon, for offences punishable under Sections 307 and 510 of the Indian Penal Code, is quashed and set aside.

(c) Rule made absolute in the above terms.

(Smt. Vibha Kankanwadi)
JUDGE

(T.V. Nalawade)
JUDGE

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