

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

CRIMINAL WRIT PETITION NO. 1141 OF 2018

1. Dhanraj S/o Raman Patil,
Age : 36 years, Occ : Agri.,
2. Raman S/o Paulad Patil,
Age : 68 years, Occ : Agri.,

Both R/o- Kusumba, Tq. Chopda,
Dist. Jalgaon.

... APPLICANTS
(Orig. Accused No.1 & 2)

VERSUS

The State of Maharashtra.

... RESPONDENT

...
Mr. V. R. Dhorde, Advocate for Applicants.
Mr. S. J. Salgare, APP for Respondent / State.
...

WITH

CRIMINAL APPLICATION NO. 2717 OF 2018

IN

CRIMINAL WRIT PETITION NO. 1141 OF 2018

Bhushan Ranchod Patil,
Age : 30 years, Occu. Agriculture,
R/o. Kusumba, Taluka-Chopda,
District- Jalgaon.

... APPLICANT
(Ori. Complainant)

VERSUS

- 1] The State of Maharashtra,
Through Chopda Rural Police Station,
Chopda, Taluka-Chopda,
District-Jalgaon.
- 2] Dhanraj S/o Raman Patil,
Age : 36 years, Occ : Agriculture,
R/o. Kusumba, Taluka-Chopda,
District- Jalgaon.
- 3] Raman S/o Paulad Patil,
Age : 68 years, Occ : Agriculture,
R/o. Kusumba, Taluka-Chopda,
District- Jalgaon.

... **RESPONDENTS**

(Nos.2 & 3 – Orig. Accused Nos.1 & 2)

...

Mr. Girish Rane, Advocate for Applicant.

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

Mr. V. R. Dhorde, Advocate for Respondent Nos.2 & 3.

...

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

DATE : 04th October, 2018.

ORAL JUDGMENT: (Per T. V. Nalawade, J.)

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

2 The proceeding is filed for relief of quashing of FIR No.53 of 2018, registered with Chopda (Rural) Police Station, District

Jalgaon, for the offences punishable under Sections 307, 323 and 504 of the Indian Penal Code. During arguments the learned counsel for both the sides submitted that the parties have settled the dispute.

3 The first informant has filed Criminal Application No.2717 of 2018 for intervention. He is represented by counsel and he has filed affidavit to mention that he has no intention to give evidence against the Applicants and relief may be given to them. This Court has seen the papers of investigation, which include injury certificate. In the FIR, allegations are made that small knife was used and injuries were caused on arm and palm. These injuries are described as simple injuries. The learned APP submits that in the past, more crimes of similar nature were registered against the Applicants. The learned counsel for Applicants is having copies of decision of previous matters showing that he is acquitted. The submissions are made that in the past there was political rivalry between the two groups and due to that both the sides were filing reports against each other. It was submitted that now they have settled the dispute and they want to live peaceful life.

4 In view of the aforesaid circumstances, this Court holds

that relief needs to be given, but it is necessary to impose some costs to make them realize that they should not repeat such incident, otherwise they will be required to pay costs. In the result, the following order is passed:

ORDER

- I. The application is allowed.
- II. Relief is granted in terms of prayer clause (B). It is subject to payment of costs of Rs.25,000/- (Rupees Twenty-Five Thousand only) by the Applicants to the High Court Legal Service Authority. The amount is to be deposited within 10 days from today.
- III. Criminal application filed for intervention is disposed of.
- IV. Rule is made absolute in those terms.

[SMT. VIBHA KANKANWADI, J.]

[T. V. NALAWADE, J.]