

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

CRIMINAL APPLICATION NO. 3161 OF 2018

1. Vikas S/o. Dattarao Satpute,
Age: 24 Years, Occu. : Agri.
2. Ankush S/o. Dattarao Satpute,
Age: 32 Years, Occu. : Agri.
3. Dattarao S/o. Viththalrao Satpute,
Age: 50 Years, Occu. : Agri.
4. Balasaheb S/o. Ganpat Satpute,
Age: 52 Years, Occu. : Agri.

All R/o. Erandeshwar,
Tq. Purna Dist. Parbhani.

... **APPLICANTS**

VERSUS

1. The State of Maharashtra,
Through Police Station Officer,
Purna Police Station,
Tq. Purna Dist. Parbhani.

2. Shivaji s/o. Viththalrao Kale,
Age- 35 years, Occ – Agri.,
R/o. Erandeshwar,
Tq. Purna Dist. Parbhani.

(Original Complainant)

... **RESPONDENTS**

...
Mr. Balasaheb N. Magar, Advocate for Applicants.

Mrs. V. S. Choudhari, APP for Respondent No.1 / State.

Mr. Pravin G. Patil, Advocate for Respondent No.2.

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

DATE : 24th November, 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 under Section 482 of the Code of Criminal Procedure for relief of quashing of FIR No.36 of 2018, registered with Purna Police Station, Taluka Purna, District Parbhani, for the offences punishable under Sections 323, 324, 307, 504 and 506 read with 34 of the Indian Penal Code.

3 The FIR was given by Respondent No.2, Shivaji Kale. The Respondent has made allegations that the incident in question took place out of petty quarrel between two children of the two families. When he went to the house of present Applicants, Accused to question, he was assaulted by Datta by using pointed weapon on his chest. According to him, Datta had intention of murder. Other Accused were in the company of Datta. This Court has gone through the papers of investigation, which include injury certificate. The first

informant sustained one injury like abrasion on his chest and one contusion over right shoulder. Both the injuries are described as simple.

4 The learned counsels for Applicants and first informant submitted that the parties have settled the dispute. Affidavit is filed by the first informant, injured witness to that effect. In view of the nature of dispute and the nature of injuries, this Court holds that relief needs to be granted. In the result, the following order is passed:

ORDER

- I. The application is allowed subject to condition of deposit of Rs.20,000/- by the Applicants with the High Court Legal Services Authority as cost amount and relief is granted in terms of prayer clause (B).
- II. Cost amount is to be deposited within ten days from today.
- III. Rule is made absolute in those terms.

[SMT. VIBHA KANKANWADI, J.]

[T. V. NALAWADE, J.]