

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

CRIMINAL WRIT PETITION NO. 1646 OF 2018

Sudam S/o. Namdeo Yelwande,
Age: 49 years, Occ. Agri.,
R/o. Wanjoli. Tq. Newasa,
Dist. Ahmednagar.

... PETITIONER
(Orig. Accused)

VERSUS

1. The State of Maharashtra,
Through the Sub-Divisional Police Officer,
Shevgaon, Sub-Division, Shevgaon,
Tq. Shevgaon, Dist. Ahmednagar.
2. Prabhakar S/o. Rambhau Navgire,
Age: 60 years, Occu. Agri.,
R/o. Wanjoli. Tq. Newasa,
Dist. Ahmednagar.

... RESPONDENTS

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Mr. Narayan B. Narwade, Advocate for Petitioner.

Mr. M. M. Nerlikar, APP for Respondent No.1 / State.

Mr. Sudheer R. Zambare, Advocate for Respondent No.2.

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

DATE : 11th December, 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.163 of 2018, registered with Sonai Police Station, Tahsil Newasa, District Ahmednagar, for the offence punishable under Section 3(1) (r) (s) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989 and Sections 504 and 506 of the Indian Penal Code.

3 Report was given by Respondent No.2. During arguments the learned counsel for Petitioner and the learned counsel for first informant submitted that the parties have settled the dispute and they want to lead peaceful life. They are residents of the same village. This Court has gone through the terms of settlement. In view of the aforesaid circumstances, this Court holds that relief needs to be granted to the Petitioner. However, the parties have used the process of law and consumed time of everybody in that process and due to that, this Court holds that the Petitioner is to be made to pay

Rs.10,000/- as a cost of the proceeding. In the result, the following order is passed:

ORDER

- I. The petition is allowed.
- II. Relief is granted in terms of prayer clause (B) subject to condition of depositing Rs.10,000/- (Rupees Ten Thousand Only) by the Petitioner with the High Court Legal Services Authority as cost amount. The 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.]

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