

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

BENCH AT AURANGABAD

CRIMINAL APPLICATION NO.1757 OF 2019

ABDUL RAHIM ABDUL SHAIKH
AND ANOTHER
VERSUS
THE STATE OF MAHARASHTRA
AND ANOTHER

.. APPLICANTS

.. RESPONDENTS

...

Advocate for Applicants : Mr. Narwade Narayan B.

APP for Respondents: Mr. R. D. Sanap

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

...

CORAM :T.V. NALWADE AND
 K.K. SONAWANE ,JJ.

DATE : 27th JUNE, 2019.

ORAL JUDGMENT(PER T.V. NALWADE, J] :-

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

2. The present proceeding is filed for relief of quashing of FIR No. 183/2019 registered in Bhingar Camp Police Station Ahmednagar for the offences punishable under Section 307, 323, 504 and 506 of the Indian Penal Code. The crime is registered on the basis of report given by Taufique Shaikh. He was working with his uncle. The incident in question took place on 5.2.2019 after noon time. According to him when he saw that from the property of his uncle some persons were taking articles away he tried to prevent them and after that present two applicants assaulted him by using wooden logs and sugarcane. On the same day report was given by him.

3. This Court has seen the injury certificate. It shows that simple injuries were sustained by the first informant. In reply affidavit filed by the first informant he has contended that there was some dispute between the applicants one side and uncle's family on other side and they have settle the dispute. He has no intention to give evidence. It appears that in the Sessions Court has given anticipatory bail to the applicants. Considering the nature of injuries and circumstances that there are no bad antecedent of the applicants, this Court holds that relief needs to be given. In the result, application is allowed. Relief is granted in terms of prayer clause "B". Rule made absolute in those terms.

[K.K. SONAWANE]
JUDGE

[T.V. NALAWADE]
JUDGE

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