

**IN THE HIGH COURT AT BOMBAY
APPELLATE SIDE, BENCH AT AURANGABAD**

CRIMINAL APPLICATION NO. 3127 OF 2018

1. Mansing s/o. Tulshidas More,
Age 54 years, Occu. Service,
2. Ranjit s/o. Gopiraj More,
Age Major, Occu. Agriculture,
3. Ramesh s/o. Tulsidas More,
Age Major, Occu. Agriculture,
4. Jaysing s/o. Tulsidas More,
Age Major, Occu. Agriculture,
5. Balu s/o. Gopiraj More,
Age Major, Occu. Agriculture,
6. Udaysing s/o. Tulsidas More,
Age Major, Occu. Agriculture,

All R/o. Jaitapur Lane, Pathri,
Tq. Pathri, Dist. Parbhani.

....Applicants.

Versus

1. The State of Maharashtra
Through Police Inspector,
Police Station, Pathri,
Tq. Pathri, Dist. Parbhani.
2. Iftakar @ Chotu Mohiyoddin Qadri,
Age 24 years, Occu. Education,
R/o. Jaitapur Lane, Pathri,
Tq. Pathri, Dist. Parbhani.

....Respondents.

Mr. M.V. Salunke, Advocate for applicants.

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

Mr. S.S. Kazi, Advocate for respondent No. 2.

WITH
CRIMINAL APPLICATION NO. 3238 OF 2018

1. Maqsood Bashir Quadri,
Age 53 years, Occu. Govt. Service,
2. Azeem s/o. Maqsood Quadri,
Age 28 years, Occu. Teacher,
3. Faheem s/o. Maqsood Quadri,
Age 32 years, Occu. Service,
4. Iftekhar @ Chhotu Maqsood Quadri,
Age 25 years, Occu. Unemployed,

All R/o. Jaitapur Lane, Pathri,
Tq. Pathri, Dist. Parbhani.

....Applicants.

Versus

1. The State of Maharashtra
Through the Police Inspector,
Pathri Police Station, Tq. Pathri,
Dist. Parbhani.
2. Ranjit s/o. Gopiraj More,
Age 40 years, Occu.
R/o. Jaitapur Lane, Pathri,
Tq. Pathri, Dist. Parbhani.

....Respondents.

Mr. S.S. Kazi, Advocate for applicants.

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

Mr. M.V. Salunke, Advocate for respondent No. 2.

**CORAM : T.V. NALAWADE AND
K.K. SONAWANE, JJ.**

DATED : 01/08/2019.

ORAL JUDGMENT :

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

2. The first proceeding is filed for relief of quashing of F.I.R. No.127/2018 registered with Pathri Police Station, District Parbhani for the offences punishable under sections 307, 324, 323, 327, 336, 504, 506, 148, 149 etc. of Indian Penal Code ('IPC' for short) and section 4 and 25 of Arms Act. The submissions made show that chargesheet is filed. So, the amendment is allowed and amendment is to be carried out immediately for adding the relief of quashing of the case itself. The second proceeding is filed for relief of quashing of F.I.R. No. 126/2018 registered with the same police station for the similar offences. As per the submissions made, no chargesheet is filed in the second proceeding.

3. During arguments, the learned counsels for applicants of both the proceedings, who also represent the first informants in the two proceedings submitted that parties have settled the dispute, they are resident of same place. In view of the record showing that four persons were injured on one side and three persons were injured on other side, this Court had asked to both the sides to file the affidavits of those injured persons to show that they have settled the dispute. As per the submissions made by the learned counsel, affidavit is filed in the office by Udaysing More for his minor daughter Tanuja More. Photocopy is taken on record.

4. By way of precaution, the learned APP was asked to verify as to whether both the sides have any antecedents. The submissions made show that they have no similar antecedent. This Court has seen the record of injury. No serious injuries are caused, though for causing injuries sharp weapons were used. Most of the injuries were C.L.W., contusions and abrasions. In view of these circumstances and the circumstance that the parties want to live peaceful life in future, this Court holds that relief needs to be granted to the applicants from both the proceedings. In the result, both the applications are allowed. In the first proceeding, relief is granted in terms of prayer clause 'B' and relief of quashing of the case itself is also granted which is to be shown in the petition. The application, if any, filed for amendment is also allowed. In second proceeding, the relief is granted in terms of prayer clause 'B'.

Rule is made absolute in those terms in both the proceedings.

[K.K. SONAWANE, J.]

[T.V. NALAWADE, J.]

ssc/