

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
WRIT PETITION NO. 2971 OF 2018**

Vijay D. Akade and ors. ... Petitioners
V/s.
The State of Maharashtra and anr. ... Respondents

WITH
WRIT PETITION NO. 2994 OF 2018

Sandeep B. Bankar and ors. ... Petitioners
V/s.
The State of Maharashtra and anr. ... Respondents

Mr. Kedar J. Patil for the Petitioners in WP 2971 of 2018.
Mr. Satyajeet P. Dighe for the Petitioners in WP 2994 of 2018
Smt. S.D.Shinde, APP for the Respondent – State.
API Mr. K. S. Sapkale, Pimpalgaon Baswant Police Station,
Nashik Rural is present.

**CORAM : B.P. DHARMADHIKARI &
N.R. BORKAR, JJ.
DATE : DECEMBER 13, 2019.**

P.C.

1] Parties are neighbours and out of some frivolous issue, incident occurred which has given rise to cross complaint.

2] On complaint filed by respondent No.2 Sandeep Bankar, offence under sections 307, 324, 323, 143, 147, 148 , 149, 504, 506 of the Indian Penal Code and under sections of Bombay Police Act have been registered against the

petitioners in Criminal Writ Petition No. 2971 of 2018.

3] Petitioner No.3 Shantanu Akade filed cross-complaint for the offence under sections 307, 143, 147, 149 and 427 of Indian Penal Code read with Bombay Police Act have been registered against the Sandeep Bankar and his family members, who are the petitioners in Criminal Writ Petition No. 2994 of 2018.

4] Learned APP states that the offences are of grave and serious nature. He further states that against one of the petitioners namely Gaurav V. Akade, there are five other criminal cases which involve cheating, forgery and misappropriation etc.

5] As parties are neighbours and other offences against Gaurav Akade are not in relation to Sandeep Bankar or his family members, we are willing to accept the settlement. Affidavits tendered by the parties are accordingly, taken on record.

6] Gaurav V. Akade in order to show his *bona fides* also states that he will not indulge in any wrongful behaviour and assures the Court that no other offences will be registered against him in future.

7] In view of this assurance and conduct shown, we accept the affidavits filed by the parties.

8] However, we cannot ignore the loss sustained by the State Government in the matter.

9] We, therefore, direct the parties to pay to the Police Welfare Fund of the State Government an amount of Rs.10,000/-. Thus, the members of Akade family shall pay amount of Rs.10,000/- while members of Bankar family shall also pay separately the said amount. After deposit of total amount of Rs.20,000/- in Police Welfare Fund within four weeks from today, Rule shall be made absolute in terms of prayer clause (a) in both the petitions.

10] Needless to mention that consequential charge-sheets and the criminal cases pending before the Sessions Court at Nipad shall be quashed and set aside.

(N.R. BORKAR, J.)

(B.P. DHARMADHIKARI, J.)