

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION**

CRIMINAL APPLICATION (APL) NO.1272 OF 2019

Tejas Madan More

...Petitioner

vs.

The State of Maharashtra and Anr.

...Respondents

Ms. Sarita Tripathi for the Applicant.

Mr. L. M. Shukla for Respondent No.2.

Mr. K. V. Saste, APP for the Respondent/State.

CORAM : B. P. DHARMADHIKARI &

SMT. S. S. JADHAV, JJ.

DATE : 11/11/2019.

PC.:

. Heard for some time. Only one of the accused persons is before Court for quashing of chargesheet which is under section 307, 504, 506 r/w 34 of the IPC.

2. Learned APP has pointed out that only one accused is before this Court claiming settlement with complainant. Learned counsel for the complainant informs that the matter is settled with the present applicant only and present applicant has not actually assaulted respondent No.2-complainant.

3. We have perused the papers we find that present applicant caught hold of respondent No.2, restrained him and then the other accused assaulted.

4. In this situation, the relief as claimed cannot be given only to

the present applicant.

5. We therefore dispose of the present matter. Needless to mention that if any other matter is filed jointly by both accused person, it will be looked into on its own merits. Affidavit tendered by respondent No.2 is taken on record.

(SMT. S.S. JADHAV, J.)

(B. P. DHARMADHIKARI, J.)