

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

CRIMINAL APPLICATION NO. 1252 OF 2018

1. Ibrahim Musa Shaikh,  
Age 36 years, Occu. Business,
2. Mansur Musa Shaikh,  
Age 33 years, Major, Occu. Labour,
3. Chotu Musa Shaikh @  
Akbar Vajir Shaikh,  
Age 25 years, Occu. Labour,

All R/o. Bodhegaon, Tq. Shevgaon,  
Dist. Ahmednagar.

**....Applicants.**

**Versus**

1. The State of Maharashtra,  
Through Police Inspector,  
Police Station, Shevgaon.
2. Dilshad w/o. Mustafa Shaikh,  
Age 58 years, Occu. Household,  
R/o. Paithan Road, Shevgaon,  
Tq. Shevgaon, Dist. Ahmednagar.

**....Respondents.**

Mr. S.S. Panale, Advocate for applicants.

Mr. D.R. Kale, APP for respondent/State.

Mr. N.R. Thorat, Advocate for respondent No. 2.

**CORAM : T.V. NALAWADE AND  
M.G. SEWLIKAR, JJ.**

DATED : 28/01/2020.

**ORAL JUDGMENT :**

1. Rule. Rule made returnable forthwith. By consent, heard both the sides for final disposal.
2. The proceeding is filed for relief of quashing of F.I.R. No.

153/2018 registered with Shevgaon Police Station for the offence punishable under section 326, 325, 332, 504, 149 etc. of I.P.C. During arguments, the learned counsels of the applicants and the informant submitted that the parties have settled the dispute. They submitted that due to some business rivalry the incident took place. The statement was made that the main accused Ibrahim Musa Shaik was released on bail by this Court. The learned APP was directed to see that they have no bad antecedents. The learned APP made a statement that there is no such record against the applicants. The injury certificate is seen by this Court. The injury certificate in respect of Mansoor shows that five injuries were sustained by him and there is allegation that injuries were caused by wooden log, iron bar and sword. Injuries are described as contusion, swellings, scratch marks and blunt trauma. One injury is described as grievous injury. In view of the reason behind the incident and the nature of allegations made, this Court holds that relief needs to be granted. In the result, the application is allowed. Relief is granted in terms of prayer clause 'B'. Rule is made absolute in those terms.

**[ M.G. SEWLIKAR, J.]**

**[ T.V. NALAWADE, J.]**

SSC/