

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

CRIMINAL APPLICATION NO. 255 OF 2021

1. Ganesh s/o Vitthal Karale
Age : 35 years, Occ : Agri.,
R/o. Agadgaon, Tq. Nagar,
Dist. Ahmednagar

2. Ashok s/o Vitthal Karale
Age : 29 years, Occ : Agri.,
R/o. Agadgaon, Tq. Nagar,
Dist. Ahmednagar

.... APPLICANTS

VERSUS

1. The State of Maharashtra,
Through In-charge Officer,
Nagar Taluka Police Station, Nagar,
Tq. Nagar, Dist. Ahmednagar.

2. Laxman s/o Umaji Borude
Age : 65 years, Occu : Agri.,
R/o. Agadgaon, Tq. Nagar,
Dist. Ahmednagar

... RESPONDENTS

Shri. Abhijeet P. Avhad, Advocate for the applicants
Shri. G. O. Wattamwar, APP for the respondent/State
Shri. A. G. Ambetkar, Advocate for respondent No. 2.

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

DATED : 25-02-2021

ORAL JUDGMENT (PER : T. V. NALAWADE, J.) :-

1. Rule. Rule made returnable forthwith, heard finally with the consent of the parties for final disposal.

2. Present proceeding is filed for relief of quashing of Crime No. 450/2019 registered with Nagar Taluka Police Station, Tq. Nagar, District Ahmednagar for the offences punishable under Sections 324, 323, 326 read with Section 34 of the Indian Penal Code, under Sections 37(1)(3) and 135 of

Bombay Police Act and under Sections 3(1)(r)(s) of Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act. He also claimed for quashing of the proceeding of Special Case No. 113/2020 which is filed in the Court of Special Judge, District and Session Court, Ahmednagar for aforesaid offences.

3. During the arguments, learned counsels for the applicants and informant submitted that the parties have settled the dispute. This Court has perused the papers of investigation which are amounted to file charge-sheet. The injury certificate shows that Laxman Borude sustained fracture injury to lower end of ulna and due to the circumstance Section 326 of the Indian Penal Code applied. The record shows that there was some civil dispute between the parties and out of that dispute the incident in question took place. They want to maintain good relations in future and for that they have taken decision to settle the dispute. The informant has given no objection to grant the aforesaid relief.

4. In view of the nature of dispute which is pending between the parties and aforesaid circumstances, this Court holds that reliefs needs to be given. Though the matter was taken on board today and learned APP wanted to ascertain antecedents of the applicants. Looking to the aforesaid circumstances and nature of dispute, there is no need to collect more antecedents of the applicants. This Court is granting the relief today itself. In the result, application is allowed. Relief is granted in terms of prayer clause 'B'.

5. Rule made absolute in those terms.

[M. G. SEWLIKAR, J.]

[T. V. NALAWADE , J.]

ssp