

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH, NAGPUR

Criminal Application (APL) No.612/2019

(Vishnu and another V State of Maharashtra and others)

Office notes, Office Memoranda of
Coram, appearances, Court's orders
or directions and Registrar's orders.

Court's or Judge's Orders

Mr. P.S. Patil, Adv for applicants.

Mr. Tejas Deshpande, Adv for non-applicant no.2.

Mr. Doifode, APP for State.

CORAM : M.S. SONAK & PUSHPA V. GANEDIWALA, JJ.

DATE : 21-12-2021.

Heard learned Counsel for the parties.

2. The learned Counsel for the applicants and non-applicant no.2 have filed a Joint Pursis. In the Joint Pursis they have set out that there were cross complaints and the matter has already been compromised by the parties who are now withdrawing the allegations and counter allegations.

3. The Joint Pursis states that in the crime registered vide FIR No.099/2019 lodged by Mehersingh Padwal, a criminal case was registered before the Judicial Magistrate, Washim bearing Criminal Case No.104/2019. There, compromise was recorded. However, since Section 324 of the Indian Penal Code (IPC) is a non compoundable offence, the application made by the parties was rejected and the matter was decided on merits. There is also reference to acquittal of some of the accused persons vide order

dated 02-09-2021 made by the learned Magistrate.

4. The pursis is signed by the applicant and non applicant no.2. The same is also countersigned by their advocates.

5. Having regard to the aforesaid circumstances, we think that a case has been made out for grant of reliefs in this application. This application is therefore allowed and the impugned FIR bearing No.100/2019 registered at police Station Asegaon, Tq. Manora, District Washim under Section 323, 324, 504, 506 r/w 34 of the IPC is hereby quashed.

6. In the peculiar facts of the present case, there shall be no order as to costs.

(Pushpa V. Ganediwala, J.)

(M.S. Sonak, J.)