

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

CRIMINAL APPLICATION NO.2926 OF 2019

RAJKUMAR S/O. ANGADRAO KALE AND OTHERS
VERSUS
THE STATE OF MAHARASHTRA AND ANR

...
Advocate for Applicants : Ms. Bhosale Uma S.
APP for Respondent No.1 - State : Mr. M. M. Nerlikar
Advocate for Respondent No.2 : Mr. Shinde Shrikishan S.
...

CORAM : SMT. VIBHA KANKANWADI AND
ABHAY S. WAGHWASE, JJ.

DATE : DECEMBER 09, 2022.

ORDER :-

- . Leave to amend. Amendment to be carried out forthwith.
2. In view of the settlement that has been arrived at between the applicants and respondent No.2, they were directed to remain present before the learned Registrar (Judicial). Learned Registrar (Judicial) has verified the compromise pursis.
3. The present applicants stood prosecuted for the offences punishable under Sections 143, 147, 148, 149, 324, 323, 504 and 506 of Indian Penal Code (for short "IPC") in view of the FIR lodged by respondent No.2 vide Crime No.153 of 2019 with Ambajogai Gramin Police Station, Dist. Beed. Now, as per the compromise

pursis, it is stated that they want to maintain peace and brotherhood in their village. It is also stated that the informant has also understood that the litigation which he has initiated would cause damage to the relationship between him and the applicants as well as the two sects of the society. In view of the better understanding that has prevailed upon the parties, this would be a fit case where the FIR and the proceedings arising therefrom need to be quashed and set aside by exercising our inherent powers under Section 482 of the Code of Criminal Procedure, however, the entire machinery i.e. the police as well as the Court was required to deal with the dispute which could have been in fact resolved at the village level if at all it was the matter of a trifle nature, which has been tried to be posed now. Hence, while exercising our powers, we proposed to impose cost on the applicants as well as respondent No.2. Hence, the following order :-

ORDER

- i) The Criminal Application stands allowed.
- ii) The FIR vide Crime No.153 of 2019 registered with Ambajogai Gramin Police Station, Dist. Beed for the offences punishable under Sections 143, 147, 148, 149, 324, 323, 504 and

506 of IPC as well as the further proceedings in R.C.C. No.108 of 2020 pending before the learned Judicial Magistrate First Class, Ambajogai, Dist. Beed, stand quashed and set aside.

iii) The applicants as well as respondent No.2 to deposit cost of Rs.2,000/- each with the High Court Legal Services Sub Committee, Aurangabad on or before 20.12.2022.

[ABHAY S. WAGHWASE]
JUDGE

[SMT. VIBHA KANKANWADI]
JUDGE

scm