

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

CRIMINAL APPLICATION NO.403 OF 2023

SACHIN DILIP MUDIRAJ
VERSUS
THE STATE OF MAHARASHTRA AND ANOTHER

...

Mr. A. C. Deshpande, Advocate for the Applicant.
Mr. P. G. Borade, APP, for the Respondent – State.
Mr. S. S. Kulkarni, Advocate for the Respondent No. 2.

...

CORAM : SMT. ANUJA PRABHUDESSAI &
R.M. JOSHI, JJ

DATE : FEBRUARY 27, 2023

PER COURT :

1. This is an application under Section 482 of Cr.P.C. to quash the first information report no. 700/2022 registered with Police Station MIDC Waluj for the offences punishable under Sections 307, 323, 504 read with Section 34 of the Indian Penal Code, in view of the compromise arrived between the parties.

2. The Respondent No. 2 has filed her affidavit giving her no objection to quash the first information report.

3. FIR *prima faciei* reveals that the Applicant and his associates inflicted injuries on Babasaheb by means of knife. The records reveal that

said Babasaheb had sustained three injuries, one of which was on abdomen and the other on chest. It is seen that Babasaheb was admitted in the hospital on 03.08.2022 and was discharged only on 26.08.2022.

4. Having gone through the records and particularly the medical records, we are of the *prima facie* view that the offence under Section 307 is made out. Hence, this is not a fit case to quash the criminal proceedings with consent.

5. Since we have expressed our disinclination to quash the proceedings with consent, learned Counsel for the Applicant seeks leave to withdraw the application. Leave granted. Application stands dismissed as withdrawn.

(R.M. JOSHI, J.)

(SMT. ANUJA PRABHUDESSAI, J)