

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

982 CRIMINAL REVISION APPLICATION NO.30 OF 2015

DEVIDAS S/O MAROTI PHAD
VERSUS
THE STATE OF MAHARASHTRA

...
Advocate for Applicant : Mr. Jadhavar Aashish T.
APP for Respondent-State : Ms. V. N. Patil-Jadhav.
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CORAM : S. G. MEHARE, J.
DATE : 19.08.2023

PER COURT :-

1. Heard the learned counsel for the applicant and learned APP for the respondent-State.
2. The applicant/accused has been convicted for the offence punishable under Section 324 of the IPC and sentenced to suffer R.I. for six months and to pay fine of Rs.5,000/-. Now, the injured and the accused have filed a joint affidavit for compounding the offence and sought the leave to compound the offence. Affidavit be made the part of the record as 'Annexure-A'.
3. The injured Dnyanoba S/o Bhavanji Mundhe, who has suffered the injury and the accused are present before the Court. They affirm the contents of the affidavit. The injured

affirms the fact of compounding the offence and seeking leave to compound the offence.

4. The incident happened on 02.12.2003. When the incident happened, the offence under Section 324 of the IPC was compoundable by the injured person with the leave of the Court. The injured and the applicant/accused are close relatives. They have voluntarily compounded the offence. Considering their age and amicable settlement, leave granted to compound the offence. Hence, the following order :

ORDER

- (i) Criminal Revision Application stands allowed.
- (ii) The sentence imposed upon the applicant by the learned Judicial Magistrate First Class, Gangakhed for the offence punishable under Section 324 of the IPC in RCC.No.7 of 2004 by his judgment and order dated 02.11.2012 for the crime bearing No.156 of 2003, registered with Police Station Gangakhed, District Parbhani and confirmed by the learned Additional Sessions Judge, Gangakhed in Criminal Appeal No.28 of 2012, by its judgment

and order dated 27.01.2015 stands quashed and set aside.

- (iii) The parties have compounded the offence voluntarily. Hence, fine amount be returned to the accused.
- (iv) Bail and surety bonds stand cancelled.
- (v) The surety stands discharged.
- (vi) Record and Proceedings be returned to the Court of learned Judicial Magistrate First Class, Gangakhed.

(S. G. MEHARE, J.)

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vmk/-