

IN THE HIGH COURT OF JUDICATURE OF BOMBAY

BENCH AT AURANGABAD

CRIMINAL APPLICATION NO.2100 OF 2022

Prashant s/o Arunkumar Mane & anr. ... **APPLICANTS**

VERSUS

The State of Maharashtra & anr. ... **RESPONDENTS**

.....

Mr. V.B. Jogdand Patil, Advocate for applicants

Mr. S.D. Ghayal, A.P.P. for respondent No.1.

Ms Ashwini A. Lomte, Advocate holding for

Mr. S.J. Salunke, Advocate for respondent No.2.

.....

WITH

CRIMINAL APPLICATION NO.2453 OF 2021

Appasaheb s/o Revappa Mane & ors. ... **APPLICANTS**

VERSUS

The State of Maharashtra & anr. ... **RESPONDENTS**

.....

Ms Ashwini A. Lomte, Advocate holding for

Mr. S.J. Salunke, Advocate for applicants.

Mr. S.D. Ghayal, A.P.P. for respondent No.1.

Mr. V.B. Jogdand Patil, Advocate for respondent No.2.

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**CORAM : SMT. ANUJA PRABHUDESSAI AND
R.M. JOSHI, JJ.**

DATE : 9th FEBRUARY, 2023

P.C. :

By these applications under Section 482 of the Code
of Criminal Procedure, the applicants have sought to quash First

Information Reports bearing Crime Nos.64/2021 and 66/2021, registered with Bembli Police Station and the consequential criminal proceedings bearing R.C.C. No.457/2021, pending on the file of learned Chief Judicial Magistrate, Osmanabad and R.C.C. No.458/2021, pending on the file of learned Judicial Magistrate, First Class, Osmanabad.

2. The learned counsel for the applicants in the respective applications state that, the parties have settled the disputes amicably. In view of the settlement, learned counsel for the applicants in Criminal Application No.2453/2021 seeks recall of the order dated 28/10/2021, whereunder the application was permitted to be withdrawn on behalf of applicants No.1 and 5. The prayer is granted. The order dated 28/10/2021, permitting dismissal of the application in respect of applicants No.1 and 5 stands recalled. Cause title be amended.

3. The aforestated crimes were registered pursuant to the First Information Reports lodged by the respondent No.2 in the respective applications. The learned counsel for the applicants and respondent No.2 in the respective applications state that, the parties are related to each other and that they have resolved the disputes amicably. They have placed on

record the pursis signed by the respondent No.2 in the respective applications, wherein it is stated that both the parties have resolved the dispute and decided not to interfere with each other. The applicants as well as respondent No.2 in the respective applications are present before us. They have confirmed the contents of the pursis. They have further stated that, they are related to each other and they want to lead a peaceful and harmonious life by forgiving each other. The respondent No.2 in the respective applications have stated that they have no objection to quash the First Information Reports and the criminal proceedings filed against each other.

4. We are satisfied that the statements are genuine and voluntary. The dispute is of personal nature. Considering the above facts, we are of the view that this is a fit case to exercise our discretion under Section 482 of the Code of Criminal Procedure to secure the ends of justice. Hence, the applications are allowed. The First Information Reports bearing Crime No.64/2021 and 66/2021, registered with Bembli Police Station and the consequential criminal proceedings bearing R.C.C. No.457/2021, pending on the file of learned Chief Judicial Magistrate, Osmanabad; and R.C.C. No.458/2021, pending on the file of learned Judicial Magistrate, First Class,

Osmanabad are hereby quashed subject to costs of Rs.10,000/- (Rupees ten thousand) to be paid by the applicants in each application. The costs to be paid to Dattji Bhale Blood Bank, Dr. Hedgewar Hospital Parisar, Aurangabad, which is stated to be run by an N.G.O. to assist Thalassemia patients, within two weeks from today.

(R. M. JOSHI, J.)

(SMT. ANUJA PRABHUDESSAI, J.)

fmp/-