

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

CRIMINAL APPLICATION NO.2221 OF 2023

1. Sakharam s/o Ramji Sanap
 2. Bhagwan s/o Sakharam Sanap
 3. Srimant s/o Sakharam Sanap
 4. Sadashiv s/o Bhagwan Sanap
- ... APPLICANTS**

VERSUS

1. The State of Maharashtra
 2. Vinayak s/o Gopinath Solanke
- ... RESPONDENTS**

.....
Mr. Pratik Bhosle, Advocate holding for
Mr. D.A. Madake, Advocate for applicants
Mr. N.T. Bhagat, A.P.P. for respondent No.1.
Mr. Amol Chalak, Advocate for R.No.2
.....

**CORAM : R.G. AVACHAT AND
SANJAY A. DESHMUKH, JJ.**

DATE : 6th JULY, 2023

ORDER :

Heard. This is an application for quashing and setting aside the judgment and order dated 29/11/2021, passed by learned Judicial Magistrate, First Class, Mantha in R.C.C. No.79/2017 and the Criminal Appeal No.18/2021, pending in the Court of learned Additional Sessions Judge, Jalna, convicting the applicants for the

offences punishable under Sections 452, 323, 504, 506 read with Section 34 of the Indian Penal Code and directing them to executing bond of good behaviour and fine of Rs.1000/- (Rupees one thousand) each.

2. The parties have arrived at a compromise. They have filed terms of compromise on record at Exhibit D. Considering the fact that the parties have settled their dispute, the application deserves to be allowed. Hence the order :

ORDER

- (i) The application is allowed in terms of prayer clause (C),
- (ii) Conviction of the applicants recorded by learned Judicial Magistrate, First Class, Mantha by judgment and order dated 29/11/2021 passed in in R.C.C. No.79/2017 is hereby set aside.
- (iii) The applicants are acquitted of the offences punishable under Sections 452, 323, 504, 506 read with Section 34 of the Indian Penal Code.
- (iv) Criminal Appeal No.18/2021, pending in the Court of learned Additional Sessions Judge, Jalna to stand disposed of.
- (v) Bail bonds/ bods of good behaviour of the applicants to stand cancelled.

(vi) As a condition of this order, the applicants shall deposit an amount of Rs.10,000/- (Rupees ten thousand) only) as costs, in the registry of this Court within a period of two weeks from today along with the details, such as, name of the depositors, his/her/their PAN Number, Mobile Number and address. On deposit of the said amount, as aforesaid, the Registry is directed to transmit the said amount along with the aforesaid details of the depositor/s, to the NAAM Foundation, which is working for prevention of suicidal death of farmers in Maharashtra State, as early as possible. The account details of the NAAM Foundation, are as under :

Name of the Bank	:	State Bank of India (07339) University Road, Pune, Maharashtra
Account No.	:	35226127148
IFSC Code	:	SBIN0007339
Account Type	:	Current Account.

3. List the matter for compliance of this order, on 20th July 2023.

(SANJAY A. DESHMUKH, J.)

(R.G. AVACHAT, J.)

fmp/-