

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

1022 CRIMINAL APPLICATION NO.3067 OF 2023

1. Ramesh Manik Kshirsagar
 2. Prakash Ramesh Kshirsagar
 3. Avinash Nivrutti Kshirsagar
- ...Applicants

versus

1. The State of Maharashtra
 2. Datta s/o Bramhaji Pawar
 3. Babasaheb Datta Pawar
- ...Respondents

...
Advocate for Applicants : Mr. Vivek V. Bhavthankar
APP for Respondent No.1: Mr. S.N. Morampalle
Advocate for Respondent No.2 : Mr. S.S. Shinde
.....

**CORAM : R. G. AVACHAT AND
SANJAY A. DESHMUKH, JJ.
DATED : 11th OCTOBER, 2023.**

PER COURT :-

This application has been filed for quashment of the order of conviction and the consequential sentence dated 1.7.2022 passed by the J.M.F.C. Umri, District Nanded, in R.C.C. No. 32 of 2012.

2. The applicants have been convicted for the offences punishable under Sections 323, 324, 325 r.w. 34 of I.P.C. and sentenced to suffer two years rigorous imprisonment and to pay with default stipulation. Their appeal against the conviction is pending before the Court of Sessions at Bhokar.

3. Now the parties have arrived at settlement. Both the victims/injured are present before us alongwith all applicants. They gave express consent to allow this application.

4. Considering the nature of offence and to give a peace of chance, we allow this application in terms of prayer clause "A".

5. 50% of the fine amount be paid back to the applicants equally. The Court of J.M.F.C. Umri, district Nanded, shall transfer the balance 50% amount to the Registry of this Court within a week from the date of receipt of writ of this order.

6. On transfer of the said amount to the Registry of this Court, 50% of the said amount be paid to Dattaji Bhale Blood Bank, Hedgewar Hospital, Aurangabad and remaining 50% amount be paid to Deepstambh Foundation, 42 Housing Society, Shahu Nagar, Jalgaon.

The bank account details of the same are as under:-

Name	:	Deepstambh Foundation
A/c. No.	:	50200027554220
Bank	:	HDFC Bank
IFSC	:	HDFC0001785.
Type of A/c.	:	Current
PAN No.	:	AABTD7731N

7. Stand over to 31.10.2023 for compliance.

(SANJAY A. DESHMUKH, J.)

(R. G. AVACHAT, J.)

rlj/