

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

CRIMINAL APPLICATION NO.3307 OF 2022

Vishal s/o. Prakash Pardeshi
and anr.

..Applicants

Vs.

The State of Maharashtra
and anr.

..Respondents

Mr.M.B.Sandanshiv, Advocate for applicants
Mr.S.D.Ghayal, APP for respondent no.1
Mr.S.S.Nade, Advocate for respondent no.2

**CORAM : SMT. ANUJA PRABHUDESSAI
AND R.M.JOSHI, JJ.
DATE : FEBRUARY 13, 2023**

ORDER :-

This is an application under Section 482 of the Code of Criminal Procedure for quashing FIR No.0256 of 2022 registered with Pimpalgaon Police Station, Tq. Pachora, Dist.Jalgaon, for the offences punishable under Sections 324, 504, 506, 326 and 447 of Indian Penal Code.

2. The aforesaid crime was registered pursuant to the FIR lodged by respondent no.2. It appears that the land of the applicants and the respondent no.2 adjoins to each other. On 01.09.2022, there

was some altercation between both parties. It is alleged that the applicants herein caught hold of the respondent no.2 and inflicted injuries by a sickle on his left leg and above left eyebrow. It is alleged that the applicant Vishal assaulted the respondent no.2 by a wooden log. The medical report *prima facie* reveals that the respondent no.2 sustained simple as well as grievous injuries.

3. The applicants as well as the respondent no.2 are present before the Court. They have filed an affidavit duly signed by the applicants and the respondent no.2. They have stated in the affidavit that they have clarified the misunderstanding between them. They are related to each other and have settled the dispute amicably. It is stated that henceforth, they will not quarrel with each other. In view of the settlement, the respondent no.2 has given 'no objection' to quash the FIR as against the applicants.

4. The dispute is of private nature. We are satisfied that the settlement is genuine and voluntary. It is stated that the parties are related to each other, they have decided to put an end to the animosity and to live in peace and harmony. Considering the facts and circumstances of the case, in our view, this is a fit case to

exercise powers under Section 482 of the Code of Criminal Procedure to secure ends of justice.

5. In view of the above, the application is allowed in terms of prayer clause (B). Consequently, FIR No.0256 of 2022 registered with Pimpalgaon Police Station, Tq. Pachora, Dist.Jalgaon, for the offences punishable under Sections 324, 504, 506, 326 and 447 of Indian Penal Code, shall stand quashed, subject to costs of Rs.10,000/- (Rupees Ten Thousand), to be deposited by the applicants in Dattaji Bhale Blood Bank, Dr.Hedgewar Hospital Premises, Aurangabad, which is stated to be an N.G.O. helping Thalassemia patients on 'No Profit No Loss' basis, within two weeks from today.

[R.M. JOSHI, J.]

[SMT. ANUJA PRABHUDESSAI, J.]

KBP