

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

CRIMINAL APPLICATION NO.3372 OF 2023

Rajendra s/o Anna Sirsath & ors. ... **APPLICANTS**
VERSUS
The State of Maharashtra & anr. ... **RESPONDENTS**

.....
Mr. M.B. Sandanshiv, Advocate for applicants
Mr. A.R. Kale, A.P.P. for respondent No.1.
Mr. R.B.Hiwale, Advocate for respondent No.2.

WITH

CRIMINAL APPLICATION NO.3371 OF 2023

Parvin Begam Jalil Khan & ors. ... **APPLICANTS**
VERSUS
The State of Maharashtra & anr. ... **RESPONDENTS**

.....
Mr. R.B.Hiwale, Advocate for applicants
Mr. P.N. Kutti, A.P.P. for respondent No.1.
Mr. M.B. Sandanshiv, Advocate for respondent No.2.

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

DATE : 18th OCTOBER, 2023

ORDER :

Heard. Issue notice to respondents returnable
forthwith. Learned A.P.P. waives service for respondent No.1.
Learned counsel Mr. Hiwrale and Sandanshiv waive service

for respondent No.2 in respective applications.

2. These are the applications for quashing the R.C.C. No.2079/2019, pending before the learned Judicial Magistrate, First Class, (Railway Court), Aurangabad for the offences punishable under Sections 452, 294, 323, 504, 506 read with Section 34 of the Indian Penal Code and Sessions Case No.54/2019, pending before the learned District & Sessions Court, Aurangabad (D.J.-2) for the offences punishable under Sections 504, 506 read with Section 34 of the Indian Penal Code and Sections 3(1)(r)(s) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989 (Atrocities Act for short). In Criminal Application No.3371/2023, there are allegations of abusing on the caste to the informant.

3. The applicants in both the applications have filed their affidavits-cum-compromise pursis, which are marked as Exhibit "X" and Exhibit "X-1" respectively.

4. Learned A.P.Ps. have strong reservations to allow the applications. Both the learned A.P.Ps. lastly submitted that the applications shall be rejected considering the serious nature of crime under the Atrocities Act.

5. Considering the fact that the parties have settled their issues and compromised the matter, the applications deserve to be

allowed and same are allowed in terms of prayer clause (B). However, both the applicants in Criminal Application No.3371/2023 shall deposit sum of Rs.12,500/- each in the registry of this Court within a period of two weeks from today along with the details, such as, name of the depositor, 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.

6. The respondent No.2 informant in Criminal Application No.3372/2021 is present. He submits that he has not received any amount under any of the Scheme of the State.

7. The matters be placed for compliance on 7th November 2023.

(SANJAY A. DESHMUKH, J.)

(R.G. AVACHAT, J.)

fmp/-