

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

CRIMINAL APPLICATION NO.4042 OF 2022

Ganesh Bhaginath Sangale & ors. ... **APPLICANTS**

VERSUS

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

.....
Mr. D.P. Palodkar, Advocate holding for
Mr. A.S. Awalgaonkar, Advocate for applicants
Mr. A.R. Kale, A.P.P. for respondent No.1.
Mr. S.S. Khoche, Advocate for respondent No.2.

WITH

CRIMINAL APPLICATION NO.4136 OF 2022

Prakash Ganpat Daud & ors. ... **APPLICANTS**

VERSUS

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

.....
Mr. S.S. Khoche, Advocate for applicants
Mr. A.R. Kale, A.P.P. for respondent No.1.
Mr. D.P. Palodkar, Advocate holding for
Mr. A.S. Awalgaonkar, Advocate for respondent No.2.

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

DATE : 13th JANUARY, 2023

P.C. :

At the outset, learned counsel for the applicants in
Criminal Application No.4136/2022 seeks leave to amend

prayer clause (B) as to incorporate the Sessions Case Number and the Court before which the same is pending. Leave granted. Amendment to be carried out forthwith.

2. Similarly, learned counsel for the applicants in Criminal Application No.4042/2022 seeks leave to amend prayer clause (B) so as to incorporate the details of the Court before which the case is pending. Leave granted. Amendment to be carried out forthwith.

3. By these applications filed under Section 482 of the Code of Criminal Procedure, the applicants in respective applications have sought to quash the First Information Reports bearing Crime No.I-148/2018, as well as Crime No.I-149/2018, both registered with Daulatabad Police Station, District Aurangabad for the offences punishable under Sections 143, 147, 148, 308, 326, 323, 504, 506 read with Section 149 of the Indian Penal Code and the consequential Sessions Case No.89/2021 and 4/2020, both pending on the file of learned Additional Sessions Judge, Aurangabad.

4. The aforesaid crimes were registered pursuant to

First Information Reports lodged by the respondent No.2 in the respective applications. The First Information Reports reveal that there was a quarrel between both the groups. As a consequence, both the groups have sustained injuries and have filed case and counter case against each other.

5. Learned counsel for the applicants and learned counsel for respondent No.2 in the respective applications state that the applicants and respondent No.2 in the respective applications are related to each other. They have stated that, they have now settled the disputes amicably and want to put an end to the acrimony between the two groups.

6. The respondent No.2 in the respective cases have filed affidavits, confirming that they have settled the dispute and that they want to put an end to their enmity. They have no objection for quashing the First Information Reports lodged by each other.

7. We have perused the records. The First Information Reports as well as other records reveal that the injuries sustained by the parties are simple in nature. The

First Information Reports as well as the other records do not disclose offence punishable under Section 308 of the Indian Penal Code. The dispute is of private nature. Hence, considering that the parties are related to each other and want to put an end to the enmity and live peaceful life, we are of the view that, this is a fit case to exercise jurisdiction under section 482 of the Code of Criminal Procedure and to quash the First Information Reports as well as the Sessions Cases filed by the parties against each other. Hence, both the Criminal Applications are allowed. The First Information Reports Crime No.I-148/2018, as well as Crime No.I-149/2018, both registered with Daulatabad Police Station, District Aurangabad and the consequential Sessions Case No.89/2021 and 4/2020, both pending on the file of learned Additional Sessions Judge, Aurangabad are hereby quashed, subject of payment of costs of Rs.10,000/- (Rupees ten thousand) each, to be paid to the High Court Bar Association Library, Aurangabad within a period of two weeks from today.

(R. M. JOSHI, J.)

(SMT. ANUJA PRABHUDESSAI, J.)

fmp/-