

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

CRIMINAL REVISION APPLICATION NO.231 OF 2015

RASHID MAHEBOOB SASTURE AND ORS
VERSUS
THE STATE OF MAHARASHTRA

...
Advocate for Applicants : Ms. Anjali Dube (Bajpai)
APP for Respondent : Mr. S. P. Deshmukh
...

CORAM : S. G. MEHARE, J.

DATE : 06-02-2023

PER COURT :-

1. Heard the learned counsel for the applicant and the learned A.P.P. for the respondent/State.
2. The learned counsel for the applicant would submit that before 2009 the offence under Section 324 of the Indian Penal Code was compoundable. The incident of the present case has happened on 05.07.2007.
3. Both parties have filed an affidavit and prayed leave of this Court to compound the offence. The accused were identified by the learned counsel Smt. Anjali Dube. Since on the date of the incident, the offence punishable under Section 324 of the Indian Penal Code was compoundable, the compromise affidavit of complainant and accused may be accepted.

4. In view thereof, the following order -
- i) The impugned judgment and order dated 19.12.2011, passed by the learned Judicial Magistrate, First Class, Omerga, in R.C.C.No. 297 of 2007, and confirmed by the learned Additional Sessions Judge, Omerga, by the judgment and order dated 07.12.2015 passed in Regular Criminal Appeal No. 3 of 2012, stand quashed and set aside.
 - ii) The accused be acquitted, in RCC No. 297 of 2007 (C.R.No. 147 of 2007 registered with Omerga Police Station, District Osmanabad), for the offences punishable under Sections 324, 323, 504 and 506 read with Section 34 of the Indian Penal Code.
 - iii) The bail bonds of the accused stand cancelled and sureties stand discharged.
 - iv) R & P be returned to the court of the learned Judicial Magistrate, First Class, Omerga.
 - v) In view of the above terms, the revision application stands disposed of.

**(S. G. MEHARE)
JUDGE**