

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BEFORE THE NATIONAL LOK ADALAT
CRIMINAL APPELLATE JURISDICTION
CRIMINAL REVISION APPLICATION NO. 270 OF 2022**

Asif Iqbal Dhanani

.....Applicant

Vs.

State of Maharashtra

.....Respondent

Ms. Kanchan Pawar for Applicant.

Mr. Sushant Mhatre for Respondent.

**CORAM : ARIF S. DOCTOR, J.
(HEAD OF THE PANEL)**

**D. A. DESHPANDE, REGISTRAR,
(LEGAL AND RESEARCH), MEMBER**

**S. K. DHEKALE,
(COURT RECEIVER), MEMBER**

DATE : 9th SEPTEMBER, 2023

P.C.:-

1. Applicant (accused No.1) in RCC No.276 of 2009 arising out of C.R. No. I-4 of 2009 u/s 325, 504, 506 r/w 34 of the Indian Penal Code, 1860 (IPC), registered with Palghar Police Station has preferred this Revision questioning his conviction u/s 323 of IPC, in Criminal Appeal No.34 of 2015.

2. It appears that, there are in all three accused in RCC No.276 of 2009, who were convicted for having committed an offence punishable u/s 323 r/w 34 of IPC. They had preferred Criminal Appeal No.34 of 2015 challenging their conviction and sentence, whereas the State too had preferred Criminal Appeal No.27 of 2017, seeking enhancement of sentence against those accused. Both these Appeals were decided by a common judgment and order dated 25th November, 2021, whereby Appeal preferred by the State was dismissed, whereas that of the accused was partly allowed. Accused Nos.2 and 3 were acquitted of offences punishable u/s 323 of IPC. However, Applicant Asif Iqbal Dhanani was convicted u/s 323 of IPC, but was given benefit of the Probation of Offenders Act, 1958.

3. Parties have today tendered consent terms which are dated 9th September, 2023. The Applicant as also the Informant are present and have signed the consent terms. The consent terms record that the matter is settled amicably and the consent terms have been entered into without any force, coercion, threat or undue influence. Consent terms are taken on record and marked 'X' for identification.

4. Offence being compoundable and the parties having amicably settled the disputes, the Applicant is acquitted of the offence punishable u/s 323 of IPC. Surety bond if any, executed, pursuant to the order passed in Criminal Appeal No.34 of 2017, stands discharged. Pending Applications, if any, are

disposed of. The Criminal Revision Application is therefore disposed of in terms of the consent terms.

(S. K. DHEKALE)
MEMBER

(D. A. DESHPANDE)
MEMBER

(ARIF S. DOCTOR, J.)
HEAD OF THE PANEL