



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

CRIMINAL APPLICATION NO.203 OF 2024

Vilas s/o Navnath Gade & ors. ... **APPLICANTS**

VERSUS

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

.....
Mr. H.U. Dhage, Advocate for applicants
Mr. G.A. Kulkarni, A.P.P. for respondent No.1.
Mr. D.R. Adhav, Advocate for respondent No.2.
.....

AND

CRIMINAL APPLICATION NO.212 OF 2024

Laxman @ Sandip s/o Jagannath Gade ... **APPLICANTS**

VERSUS

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

.....
Mr. D.R. Adhav, Advocate for applicants
Mr. G.A. Kulkarni, A.P.P. for respondent No.1.
Mr. H.U. Dhage, Advocate for respondent No.2.
.....

**CORAM : R.G. AVACHAT AND
NEERAJ P. DHOTE, JJ.**

DATE : 20th JUNE, 2024

ORDER :

At the request of learned counsel for applicants in
both the applications, leave to amend prayer clause

mentioning R.C.C. Number in both the applications.
Amendment to be carried out within one week.

2. Criminal Application No.203/2024 is filed for quashing F.I.R. bearing Crime No.0990/2023, registered at Rahuri Police Station, District Ahmednagar for the offence punishable under Sections 326, 324, 143, 147, 148, 149, 323, 504, 506 of the Indian Penal Code and consequential criminal proceeding bearing R.C.C. No.267/2024 pending before the learned 2nd Jt. Civil Judge, J.D. & Judicial Magistrate, First Rahuri, District Ahmednagar. Criminal Application No.212/2024 is filed for quashing F.I.R. bearing Crime No.0986/2023, registered at Rahuri Police Station, District Ahmednagar for the offence punishable under Sections 143, 147, 148, 149, 323, 324, 504, 506 of the Indian Penal Code and consequential criminal proceeding bearing R.C.C. No.278/2024, pending before the learned 2nd Jt. Civil Judge, J.D. & Judicial Magistrate, First Rahuri, District Ahmednagar.

3. It is submitted by learned Advocates for applicants in both the applications that, both the sides are the family members and the aforesaid Crimes are the case and counter case. It is submitted that, the parties have amicably settled the

matter and accordingly they have submitted on record the affidavits from both the sides. They submit that, even the civil disputes between them have been amicably settled. They submit that the applications be allowed.

4. Learned A.P.P. opposes the applications. He submits that, considering the nature of crime, the applications be rejected.

5. There is no dispute that both the sides are from the same family. We have perused the affidavits filed by both the parties which are on record. They have categorically stated that they have amicably settled the matter on the terms and conditions mentioned in their respective affidavits. Considering these aspects, we exercise our powers under Section 482 of the Code of Criminal Procedure and proceed to pass the following order :-

ORDER

(i) Both the Criminal Applications are allowed in terms of prayer clauses (B) and (B-1), subject to payment of costs of Rs.25,000/- (Rupees twenty five thousand) in each of the application, to be deposited with this Court within a period of

one week. On deposit of the amount of cost, the same be credited to the charitable Trust, "Snehwan", the Account details of which are as under :

Bank name : State Bank of India
Account Name : Snehwan
Branch : Pimpri town
Account Number: 35517151681
IFSC Code : SBIN0005923

6. List the applications for compliance of this order on 28th June 2024.

(NEERAJ P. DHOTE, J.)

(R.G. AVACHAT, J.)

fmp/-