



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

CRIMINAL APPLICATION NO. 732 OF 2024

Sachin Subhashrao Suryawanshi

....Applicant

VERSUS

The State of Maharashtra And Another

.....Respondents

.....

Mr. Anerao Panditrao S., Advocate for Applicant

Mrs. Ashlesha S. Deshmukh, APP for Respondent No. 1 – State

Mr. S. N. Janakwade, Advocate for Respondent No.2

.....

AND

CRIMINAL APPLICATION NO.739 OF 2024

Sonu @ Vyankatesh Ashok Sangewar and Ors.

.... Applicants

VERSUS

The State of Maharashtra and Anr.

... Respondents

.....

Mr. Y. J. Shinde, Advocate for the Applicants

Mrs. Ashlesha S. Deshmukh, APP for Respondent No. 1 – State

Mr. Anerao Panditrao S., Advocate for Respondent No. 2

.....

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

DATE : 10.07.2024

PER COURT :

1. Heard the learned Advocates for the Applicant/s in both the Applications and the learned APP for the Respondents – State.

2. In Criminal Application No.732/2024, the Applicant is seeking quashment of FIR bearing Crime No.10/2024 registered on 18/01/2024 with Loha Police Station, Tq. Loha, District Nanded for the offence punishable under Sections 143, 147, 327, 504, 506, 323

and 341 of the Indian Penal Code, 1860 [hereinafter referred to as 'IPC'].

3. Not on board. Taken on board the Criminal Application No.739/2024 at the request of the learned Advocate for the Applicants.

4. In Criminal Application No.739/2024, the Applicants are seeking quashment of FIR bearing Crime No.11/2024 registered on 19/01/2024 with Loha Police Station, Tq. Loha, District Nanded for the offence punishable under Sections 143, 147, 327, 504, 506, 323 and 341 of IPC and Section 4/25 of the Arms Act, 195.

5. We have perused the FIRs in both cases. The incident reported in both the FIRs is one and the same. The case and cross case is lodged.

6. It is submitted by the learned Advocates appearing for the both the sides that the parties have amicably settled the matters and they want to put an end to the cases filed against each other. They brought to our notice the Affidavit filed by the Applicants in both the Applications, wherein, they have decided to compromise the matters on the terms and conditions set out in the Affidavit, which runs as follows:

"A. It has been agreed between the applicants and the respondent no.2 that they shall not give trouble to each other in future in respect of the present F.I.R. No.010/2024.

B. It has been agreed between the applicants and the respondent No.2 that they shall not file any complaint in future against each other on the basis of this Compromise Pursis.

C. Both, the applicants and the respondent no.2 have agreed to withdraw the present F.I.R. No.010/2024 after thinking over the future consequence of continuance of criminal prosecution. Both, the applicants and the respondent no.2 are giving their consent for withdrawal of F.I.R. No.011/2024 in conscious mind, free will and without there being any pressure, force, coercion or undue influence from either side."

7. Learned APP opposes the Applications.

8. In view of the above factual aspects, we are of the view that, the exercise of powers under Section 482 of Cr.PC would be proper. Hence, we proceed to pass the following order:

ORDER

(I) Criminal Applications are allowed in terms of prayer clause – ‘B’ subject to the costs of Rs.25,000/- each [Rupees Twenty Five Thousand Only] to be paid to the High Court Legal Service Sub-Committee, Aurangabad, within a period of two (2) weeks. The compliance report be submitted thereafter.

9. List the matter on 12/08/2024 for compliance.

[NEERAJ P. DHOTE, J.]

[R.G. AVACHAT, J.]

Sameer