



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

CRIMINAL WRIT PETITION NO. 455 OF 2008

GANESH RAMRAO PALODEWAR
VERSUS
GUNWANT BALIRAM SHINDE AND ANOTHER

...
Advocate for the Petitioner : Mr. S. P. Katneshwarkar
APP for Respondent No.1 : Mr. S.P. Sonpawale
Advocate for Respondent No.2 : Mr. Sachin S. Panale holding for
Mr. S. B. Kendre
...

CORAM : S. G. MEHARE, J.

DATE : 04-09-2024

PER COURT :-

1. Heard the respective counsel for the parties. The petitioner and respondent No.1 are present in the Court.
2. The parties have amicably settled the dispute in Letters Patent No.80 of 2007. However, in that L.P.A. it was not disclosed that the respondent had filed another criminal complaint. This fact was also not brought to the notice of the learned trial Court. Hence, the learned Chief Judicial Magistrate, Latur passed the impugned order and issued process against the petitioner on 15.10.2007 in Regular Criminal Case No.269 of 2007
3. Criminal Revision No.8 of 2008 preferred by the present petitioner before the Ad-hoc Additional Sessions Judge-3, Latur, was dismissed on merit on 04.06.2008.

4. The learned counsels for the parties made a statement that in view of the amicable settlement in Letters Patent No.80 of 2007, no dispute has remained. Hence, the writ petition may be allowed and the orders impugned may be quashed and set-aside.

5. In view of the amicable settlement and the statement made by the learned counsel for the parties, the following order is passed:-

ORDER

- i) The criminal writ petition is allowed.
- ii) The orders of learned Chief Judicial Magistrate, Latur passed in Regular Criminal Case No.269 of 2007, dated 15.10.2007 and the learned Ad-hoc Additional Sessions Judge-3, Latur, passed in Criminal Revision No.8 of 2008, dated 04.06.2008, stand quashed and set aside.
- iii) Rule made absolute in above terms.

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

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