



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

22 CRIMINAL APPLICATION NO. 311 OF 2025

1. Sachin Lalasaheb Shete
Age 37 years, Occ. Advocate
R/o. Ambejalgaon, Tq. Karjat,
District Ahmednagar
 2. Nanasaheb Appasaheb Nikat
Age 55 years, Occ. Agriculture
R/o. As above
 3. Raman Vikram Nikat
Age 37 years, Occ. Agriculture
R/o. As above
- ...Applicants

Versus

The State of Maharashtra,
Through the Police Inspector
Karjat Police Station,
Tq. Karjat, district Ahmednagar

...Respondent

...

Advocate for Applicant : Mr. Kulkarni Suvidh Suresh
APP for Respondent : Mr. N.R. Dayama

.....

**CORAM : SMT. VIBHA KANKANWADI AND
SANJAY A. DESHMUKH, JJ.**
DATED : 8th APRIL, 2025

PER COURT :-

1. The present application has been filed by the original accused persons as well as the informant for quashing of the proceedings in Sessions Case No. 21 of 2021 pending before the learned Additional Sessions Judge, Shrigonda, district Ahmednagar

arising out of Crime No. 620 of 2020 registered with Karjat police station, Tq. Karjat, district Ahmednagar for the offences punishable under Sections 307, 323, 504, 506 r.w. 34 of I.P.C.

2. It would not be out of place to mention that the present applicant Nos. 1 and 2 had filed criminal writ petition No.1201 of 2020 for quashing of the said F.I.R. However, the said writ petition came to be dismissed as withdrawn by order dated 29.03.2023. Now applicant Nos.1 and 2, who are original accused and applicant No.3, who is informant, state that there is compromise between them due to intervention of the respectable persons from their locality and the informant has no objection for quashing of the proceedings.

3. Every compromise between the parties is not binding on the court and may not be a point on which proceedings can be quashed. But before exercising of the powers, this court has to consider the allegations, evidence collected, seriousness of the offence and whether there is any possibility of commission of such crime in future, therefore, we have gone through the entire charge sheet. Applicant No.3 informant has stated that he is doing the business of milk and he supplied milk to applicant No.2. Applicant No.2 had not given the price of the milk for about 4 to 5 months prior to the F.I.R. The informant had repeatedly asked him to pay the price of the milk

supplied. He states that about two months prior to F.I.R. when he had gone to the shop of applicant No.2 at Karjat, to demand the amount of Rs.30,000/-, he met applicant No.1 at that place, who is friend of applicant No.2. The informant had asked applicant No.1 to pay the price of the milk. At that time, applicant No.1 disclosed that no amount is due towards the informant. According to the informant, applicant No.1 gave threat to kill, if he demands the said amount and asked the informant to go. The informant says due to fear, he had not lodged any report to the police. The informant then says that he was proceeding on his tractor around 8.00 p.m. on 08.08.2020 and tyre of his tractor got punctured. He had therefore, parked the vehicle in front of puncture shop and he went to answer the nature's call by the side of the road. At that time, suddenly vehicle S-Cross bearing No. MH-12-5810 came from Karjat side and with an intention to kill him, it was coming speedily towards him. But he jumped and saved himself. The said vehicle went ahead and stopped. From the said vehicle, both the applicant Nos. 1 and 2 got down, threatened him and made it clear that they wanted to kill him. He was assaulted; however, the said dispute was then separated by the puncture shop owner.

4. Thus, it can be seen that the incident is stated to have taken place due to outstanding amount. In the F.I.R., the vehicle number

that has been given, as MH-12-5810 whereas at the time of registration that has been given as MH-42-AX-5810. The statement of puncture shop owner is in fact supporting the informant.

5. Now the applicants have entered into settlement and it appears from the application that they want to keep their relations good and therefore, we have no hesitation in exercising our powers under section 482 of Cr.P.C. However, since entire machinery has been utilized, costs deserve to be imposed. We therefore, proceed to pass the following order:-

O R D E R

- I. The application stands allowed.
- II. The proceedings in Sessions Case No. 21 of 2021 pending before the learned Additional Sessions Judge, Shrigonda, District Ahmednagar, arising out of Crime No.620 of 2020 registered with Karjat police station, Tq. Karjat, district Ahmednagar, for the offences punishable under sections 307, 323, 504, 506 r.w. 34 of I.P.C. stands quashed and set aside as against applicant Nos. 1 and 2 subject to deposit of costs of Rs.25,000/- each by applicant Nos. 1 and 2 and Rs.5,000/- by applicant No.3, to be deposited within a period of two weeks from today with the Registry i.e. the committee consisting of

learned Registrar (Administration) of the High Court, Bench at Aurangabad and the Medical Officer of the High Court Medical Dispensary, Aurangabad.

- III. In case of failure on the part of the applicants to deposit such amounts, within the aforesaid period, the proceedings before the learned Additional Sessions Judge, Shrigonda would get revived.

(SANJAY A. DESHMUKH, J.) (SMT. VIBHA KANKANWADI, J.)

rlj/