



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

2 CRIMINAL APPLICATION NO. 1718 OF 2025
IN
CRIMINAL APPLICATION NO. 1581 OF 2024

Ganesh Sakharam Pawar And Others
VERSUS
The State of Maharashtra and another

...
Advocate for Applicant : Mr. Sohail Subhedar h/f Mr. N. S. Ghanekar
APP for Respondent No.1: Mr. G.A. Kulkarni
Advocate for respondent No.2: Niraj Chudiwal h/f Mr. Satej S. Jadhav

.....
AND
CRIMINAL APPLICATION NO. 2408 OF 2025
IN
CRIMINAL APPLICATION NO. 1532 OF 2024

Anna @ Annasaheb Vitthal Pawar and others
versus
The State of Maharashtra and others

....
Advocate for Applicant : Mr. Niraj Chudiwal h/f Mr. Satej S. Jadhav
APP for Respondent No.1: Mr. G.A. Kulkarni
Advocate for respondent No.2: Mr. Mr. Sohail Subhedar h/f Mr. N. S. Ghanekar

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**CORAM : SMT. VIBHA KANKANWADI AND
SANJAY A. DESHMUKH, JJ.**
DATED : 3rd JULY, 2025

PER COURT :-

1. The present applications have been filed for recalling of common order dated 15.04.2025 passed in criminal application Nos. 1581 of 2024 and 1532 of 2024 and for restoration of the said applications.

2. Heard learned advocate Mr. Subhedar h/f Mr. Ghanekar for the applicants in criminal application No. 1718 of 2025, learned advocate Mr. Chudiwal h/f Mr. Jadhav, for the applicants in criminal application No. 2408 of 2025, learned advocates for respondent No.2 in respective applications and learned A.P.P. for the respondent State.

3. The main applications were for quashing the proceedings in connection with the F.I.R. vide C.R. No. 131 of 2023 registered with Harsul police station, district Aurangabad for the offences punishable under Sections 307, 323, 504, 506, 143, 147, 148, 149 of I.P.C.. The parties had arrived at a compromise but it was noticed by this Court that there are victims in the matter. The applicants sought amendment.

4. It will not be out of place to mention here that there was criminal application No. 1532 of 2024, which was in respect of cross complaint. Leave to amend was sought in respect of that matter also for inclusion of name of the victim. Prior to that the parties had appeared before the Registrar (Judicial) of this Court. The settlement terms were got verified. As regards the time to carry out amendment is concerned, it was extended twice and it appears that in respect of

criminal application No. 1532 of 2024, amendment was carried out and that application was also dismissed and in respect of the present matter, though the settlement terms were arrived at in both the cross cases, yet the applicants in the present matter had not carried out the amendment. It was treated that the parties have lost interest in the matter. Now the reason of inadvertence has been stated for not carrying out the amendment and now both of them have come for restoration of applications. It is to be noted that in another matter also, serious offence was involved and inspite of liberties were given for so many times to carry out the amendment, the parties were reluctant or lethargic in carrying out the amendment. Everything cannot be as per their wish. It is not that they can come to the court at any time, fight against each other leisurely and then settle the matter and without adhering to the procedure, fail to carry out the amendment. No reasonable ground has been shown by both the applicants. Therefore, both the applications stand dismissed.

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

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