

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE SIDE JURISDICTION
CRIMINAL APPEAL NO. 533 OF 2018

Atmaram Mahadev Gavde And Ors Appellants

Versus

The State of Maharashtra Respondent

WITH
CRIMINAL APPEAL NO. 448 OF 2018

Haridas Vitthal Ghule And Ors. Appellants

Versus

The State of Maharashtra Respondent

Mr. Sharad Bhosale i/b Mr. Dilip Bodake, Advocate for the Appellants in APEAL/533/2018.

Mr. Rahul S. Kate, Advocate for the Appellants in APEAL/448/2018.

Mr. Sameer M. Mangaokar, APP, for the Respondent – State.

CORAM : SHIVKUMAR DIGE, J.

DATE : 5th MAY, 2025.

P.C. :

1. These two Criminal Appeals have been filed against the judgment and order passed by the Additional Sessions Judge, Satara, whereby, Appellants in both the appeals have been convicted. The Appellants in both appeals are residents of same village. They had

filed cross complaints against each other. On the basis of said cross complaints, separate offences were registered against them. Accordingly, all the Appellants have been convicted.

2. It is contention of learned counsel for all the Appellants that matter is settled between the Appellants in both appeals. They have prepared consent terms. They tendered consent terms, the same is taken on record and marked as 'X' for identification.

3. Both learned counsel for the Appellants relied on *Suraj Singh Gujar Vs. State of Madhya Pradesh*[2024] 0 INSC 661 / [2024] 6KHC(SN)5/[2024] 5 KLT (Online) 2302 / [2024] 0 Supreme (SC) 754 and *Khursheed and Anr. Vs. State of Uttar Pradesh and Anr.* 2007 DGLS(SC)1099.

4. Learned APP submitted that appropriate order be passed.

5. I have heard all learned counsels.

6. The Appellants in Criminal No.533 of 2018 have been convicted for the offence punishable under Section 325, 324, 323 and 504 read with Section 34 of the Indian Penal Code, 1860 and sentenced to suffer Rigorous Imprisonment for two years and pay fine of Rs.2,000/- each. The Appellants in Criminal Appeal No.448 of 2018 have been convicted for the offences punishable under Sections

323, 324 read with Section 34 of the Indian Penal Code, 1860 and sentenced to suffer Rigorous Imprisonment for one year and pay to fine of Rs.2,500/- each. Except offence under Section 324 of the IPC all other offences are compoundable. As the matter is settled between the Appellants in both criminal appeals, who have been convicted on cross complaint filed against each other. Now matter is settled between both the parties. They are residence of same village. As per view of Hon'ble Apex Court in the case of Suraj Singh Gujar (*Supra*) and Khursheed and Anr. (*Supra*). The Appeals can be disposed off. The Appellants are hereby ordered to be acquitted in both the appeals.

7. The bail bonds of all the Appellants stand cancelled.

8. In view of the aforesaid terms and conditions, the appeals are allowed and dispose of.

(SHIVKUMAR DIGE, J.)