

(2013) 05 BOM CK 0013

In the Bombay High Court

Case No : Criminal Writ Petition No. 167 of 2013

Mr. Purushottam

APPELLANT

Vs

State of Maharashtra and Others

RESPONDENT

Date of Decision : 02-05-2013

Acts Referred:

Penal Code, 1860 (IPC) — Section 324, 326, 34

Citation : (2013) ALLMR(Cri) 2455

Hon'ble Judges : M.L. Tahaliyani, J

Bench : Single Bench

Advocate : R.R. Vyas, for the Appellant; J.B. Jaiswal, Addl. P.P. for the Respondent No. 1, for the Respondent

Judgement

M.L. Tahaliyani, J.—Heard learned Counsel R.R. Vyas for the petitioners and learned Additional Public Prosecutor Shri J.B. Jaiswal for respondent No. 1. Rule. Rule returnable forthwith by consent of learned counsel for the parties.

2. The petitioners are accused in Regular Criminal Case No. 237/2008 pending before the Judicial Magistrate First Class, Rajura. They are facing trial for the offences punishable under Sections 324 read with Section 34 and 326 read with Section 34 of the Indian Penal Code. The offence punishable u/s 326 is not a compoundable. Respondent Nos. 2, 3 and 4 were injured in the alleged incident. Respondent No. 2 Sau. Sangita Nikhade, who is wife of respondent No. 3, was the complainant. The petitioners and respondent Nos. 2, 3 and 4 are present before the Court. It is stated by them that they have resolved the issue amicably out of the Court. It is stated by respondent Nos. 2, 3 and 4 that they do not want to proceed further against the petitioners as their relations with the petitioners are cordial. Learned Additional Public Prosecutor Shri J.B. Jaiswal appearing for respondent No. 1 has no objection if the proceedings are quashed. In view of the development, which had taken place later on following amicable settlement of the dispute, I am inclined to grant the relief as prayed.

The petition is allowed.

The proceedings pending before the Judicial Magistrate First Class, Rajura vide Regular Criminal Case No. 237/2008 shall stand quashed.

The bail bonds of the petitioners, if any, shall stand cancelled.

Rule is made absolute in the above terms.