



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

CRIMINAL APPLICATION NO. 773 OF 2024

1. Rajendra Janardhan Chamute
2. Narayan Manohar Argade
3. Raghunath Mohan Argade
4. Bandu Jalindar Argade
5. Hemant Rajendra Chamute
6. Suraj Bandu Argade
7. Ganesh Dattatraya Argade ..APPLICANTS

VERSUS

1. State of Maharashtra
2. Kishor Annasaheb Argade ..RESPONDENTS

AND
CRIMINAL APPLICATION NO. 871 OF 2024

1. Sharad Baburao Argade
2. Kishor Annasaheb Argade
3. Amol Bhausaheb Argade
4. Adinath Raosaheb Argade ..APPLICANTS

VERSUS

1. State of Maharashtra
2. Bandu Jalindar Argade ..RESPONDENTS

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Mr. S.D. Kotkar, Advocate for applicants in APPLN/773/2024 and for respondent no.2 in APPLN/871/2024

Mr. V.P. Patil, Advocate for applicants in APPLN/871/2024 and for respondent no.2 in APPLN/773/2024

Ms. V.N. Patil Jadhav, A.P.P. for respondent no.1 – State in both applications

CORAM : R.G. AVACHAT AND
NEERAJ P. DHOTE, JJ
DATE : 31st JULY, 2024

PER COURT :

1. In Criminal Application No. 773 of 2024, the applicants have prayed for quashing of the F.I.R., bearing C.R. No. 795 of 2023 registered with Newasa Police Station, Dist. Ahmednagar for the offences punishable under Section 353, 332, 143, 147, 149, 504 and 506 of the Indian Penal Code ('I.P.C.'). While, in Criminal Application No. 871 of 2024, the applicants have prayed for quashing of the F.I.R., bearing C.R. No. I-812 of 2023 registered with Newasa Police Station, Dist. Ahmednagar for the offences punishable under Sections 307, 324, 323 and 504 of the I.P.C.
2. Learned counsel for the applicants in both the applications submit that the aforesaid F.I.Rs. are the case and cross-case. The applicants in one application is the informant in another application and vice versa.
3. Learned counsel for the parties submit that they are from brotherhood and due to property dispute the aforesaid incidents took place. They further submit that they have now settled the dispute forever and wish to live peacefully. They submit that the applications be allowed.
4. Learned A.P.P. for State opposes the applications. She submits that if the applications are allowed, it would set wrong precedent.

5. The parties tender across the bar affidavits sworn by both sides. The same are taken on record and marked as Exhibits 'X' and 'Y' respectively. Perusal of the same shows that they have consented for quashing the F.I.Rs.

6. In the aforesaid peculiar facts and circumstances of the case, we consider it appropriate to exercise power under Section 482 of Cr.P.C. and hence allow both the applications in terms of prayer clause (B) therein, subject to cost of Rs.25,000/- per application to be paid to the office of High Court Legal Services Sub-committee, Aurangabad within a period of one week. List the applications on 14th August, 2024 for compliance.

(NEERAJ P. DHOTE, J.) (R.G. AVACHAT, J.)

SSD