

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY  
CRIMINAL APPELLATE JURISDICTION**

**CRIMINAL WRIT PETITION NO. 3272 OF 2014**

Mr. Rajaram Baburao Kakade ..Petitioner

v/s.

The State of Maharashtra & Anr. ..Respondents

Mr. Siddesh Pilankar for the Petitioner.  
Mrs. P.H.Kantharia, APP for the Respondent/State.

**CORAM : RANJIT MORE &  
SMT. ANUJA PRABHUDESSAI,JJ.  
DATED : JANUARY 12, 2015.**

**P.C.**

1. The petition is filed for direction to the respondent to register an offence in respect of the accident allegedly occurred on 11.8.2014. Counsel for the petitioner alleged that on the date of the incident, the taxi bearing No. MH 01 J 3050 gave a dash from the backside to the vehicle driven by the petitioner, which caused damage to his vehicle. The counsel also alleged that the driver of the taxi was rash and negligent and therefore offence under Section 279 ought to have

been registered.

2. Mrs. Kantharia, learned APP produced on record the accident report endorsed by the RTO department. This report shows that the brakes of taxi no. MH 01 J 3050 were not functioning properly. The report further shows that though there was dash, no damage was caused to the vehicle driven by the petitioner. During investigation it was revealed that it was case of simple accident and not an accident due to rash and negligent act on the part of the driver of the said taxi. We are therefore not inclined to entertain the petition.

3. Petition is accordingly dismissed.

**(ANUJA PRABHUDESSAI, J.)**

**(RANJIT MORE, J.)**