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IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO. 1122 OF 2012

Dr. Kirit Purshottam Narsana	..	Applicant
V/s.		
The State of Maharashtra	..	Respondent.

Mr. Subir Sarkar along with Mr. Hardik Vyas i/by Radhika Kamat for the applicant.

Mr. Y.R. Yagnik, A.P.P. For the State.

Mr.R.D. Tiwari for respondent no. 2.

**CORAM : RANJIT MORE AND
V.L.ACHLIYA, JJ.
DATED : 21st DECEMBER,2015**

P.C. :-

Heard the learned counsel for the applicant, learned counsel for respondent no.2 and the learned A.P.P. For the State.

2. This application is filed under section 482 of the Code of Criminal Procedure for quashing and setting aside the Criminal Case No.3051/PW/2012 pending on the file of the Metropolitan Magistrate Court, Andheri, Mumbai The said case arises out of FIR bearing CR No. 176 of 2012 registered with Vile Parle Police Station, Mumbai at the instance of respondent no.2 for the offence punishable under section 304A of Indian Penal Code.

3. Pending the trial, the parties have settled their dispute amicably and they have filed a common affidavit giving their no objection for quashing of the proceedings of the said criminal case. This affidavit is signed by the applicant, respondent no.2 as well as wife of the deceased Dipen Soni. In terms of this compromise, the applicant handed over to Smt. Sheetal, widow of deceased Dipen the following demand drafts :

Sr.No.	D.D. No.	Amount	In favour of
1.	103640	Rs.7,50,000/-	Ms. Kinari Dipen Soni
2.	032235	Rs.7,50,000/-	Master Jeet Dipen Soni
3.	026472	Rs.5,00,000/-	Smt. Sheetal Dipen Soni

4. Respondent no.2 as well as Smt. Sheetal Soni undertakes that the amount in the name of minor children Ms. Kinari and Master Jeet shall be invested in their respective names till they attain the age of eighteen years. Statement is accepted. The applicant also undertakes to help Smt. Sheetal Soni, wife of the deceased to secure the job. Currently she is working on probation and the applicant states that he will see that she will be confirmed and she will be made permanent in the service. Statement is accepted. The matters pending before the Consumer Forum as well as Medical Council are also settled by the parties.

5. Respondent no.2 as well as widow of the deceased Smt.

Sheetal are also present in the Court. In the above circumstances, they have no objection to quash the proceedings of the said Criminal Case. In the result, the subject Criminal Case is quashed and set aside.

(V.L.ACHLIYA,J.)

(RANJIT MORE,J.)