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IN THE HIGH COURT OF JUDICATURE AT BOMBAY***CRIMINAL APPELLATE JURISDICTION******CRIMINAL APPLICATION No. 1301 OF 2016******Mr. Jason Nath******...Applicant******Vs.******The State of Maharashtra and Ors.******...Respondents***

Mr. Kedar Patil for the Applicant

Mr. S.V. Saste -APP for Respondent No.1

Mr. Nilesh Patil for Respondent Nos.2 and 3

CORAM : V. M. KANADE &***Ms. NUTAN D. SARDESSAI, JJ.******DATE : NOVEMBER 22, 2016*****P.C. :**

1. Heard the learned counsel appearing on behalf of the Applicant, learned APP for the State and the learned counsel appearing on behalf of Respondent Nos.2 and 3. Application is filed for quashing the FIR dated 21.6.2011 bearing C.R. No. 182 of 2011 lodged at Bangurnagar Police Station for the offences punishable under sections 279, 337 and 338 of the Indian Penal Code. It is a case of an accident. According to the Applicant, the injured, all of a sudden came in front of his vehicle. The complaint is filed by some other person, who noticed the accident.

It is not in dispute that the Applicant took the injured to the hospital and looked after the injured till he was discharged from the hospital. The Applicant had paid the medical bill and paid an amount of Rs.1,20,000/- to the injured. The injured person has filed his reply. We have interviewed him. Consent terms have been filed by the parties. The injured- Respondent No.2, who is appearing in person, has stated that he has no objection if the complaint is quashed. In view of the judgment of the Apex Court in the case **Narinder Singh and Ors. vs. State of Punjab and Anr. [(2014) 6 SCC 466]**, in our view, this is a fit case where the complaint can be quashed by consent. The Criminal Application is allowed in terms of prayer clause (b) and is disposed of.

Ms. NUTAN D. SARDESSAI, J.

V.M. KANADE, J.