

SMT JUSTICE T. RAJANI

CRIMINAL PETITION No.1137 of 2013

ORDER:

The criminal petition is filed seeking quash of the proceedings in CC.No.110 of 2011, against the petitioner, who is A2, on the file of the Additional Junior Civil Judge, Chilakaluripet. The offences alleged are under Sections 304-A and 338 of the Indian Penal Code and Section 180 of the Motor Vehicles Act.

2. Heard the counsel for the petitioner and the learned Public Prosecutor appearing for the first respondent. None appears for the second respondent.

3. The petitioner herein is stated to be the owner of vehicle, which was stated to be involved in an accident. He was, admittedly, not driving at the time of the accident. The offence with which he is charged is under Section 180 of the Motor Vehicles Act. The said provision does attract this petitioner, as he is not at the wheel at the time of the accident and it applies only to the persons driving in contravention of Section 3 or Section 4 of the Act.

4. The counsel for the petitioner draws attention of this Court to the compounding proceedings issued by the RTA, Ranga Reddy District wherein the fact of compounding of offence was recorded.

5. Hence, considering the above, this Court is of the opinion that there would be no reason for continuing the proceedings against the petitioner for the alleged offences.

In the light of the above, the criminal petition is allowed and the proceedings in CC.No.110 of 2011, against the petitioner, who is A2, on the file of the Additional Junior Civil Judge, Chilakaluripet, are hereby quashed. As a sequel, the miscellaneous petitions, if any pending, shall stand closed.

December 13, 2018
DSK

T. RAJANI, J

