

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
WRIT PETITION NO.4721 OF 2018**

Saurabh Patil.] ... Petitioner
Versus
The State of Maharashtra & Anr.] ... Respondents

Mr. Abhishek P. Deshmukh for Petitioner.
Mr. F. R. Shaikh, APP for State – Respondent No.1.
Mr. Samir M. Suryawanshi for Respondent No.2.

**CORAM :- B. P. DHARMADHIKARI &
SARANG V. KOTWAL, JJ.**
DATE :- DECEMBER 14, 2018

P. C. :-

1. Heard respective Counsel.
2. Out of road accident, the quarrel took place.
3. We find that the Respondent No.2 was in hospital for a period of about 20 days as his leg was fractured because of the blow of iron rod given by the driver of the other vehicle. That driver of other vehicle is Petitioner before us.
4. Both parties jointly request for dropping of action. Complainant (Respondent No.2) is present with his Advocate and has

tendered Affidavit accordingly. He states that all his hospital expenditure is shouldered by the Petitioner.

5. We find that for a period of 20 days, the Respondent No.2 was without any source of income. Similarly, public money is lost because of the fury and rage exhibited by the Petitioner.

6. We, therefore, direct the Petitioner to deposit in the bank account of the Respondent No.2 an amount of Rs.25,000/- within two weeks from today.

7. Similarly, an amount of Rs.25,000/- shall also be deposited in the account of the Respondent No.1 as costs, within two weeks from today.

8. Subject to completing such payment and producing its proof in the Court of learned Magistrate at Vashi in Case No.100 of 2018 we make Rule absolute in terms of prayer clause (b).

(SARANG V. KOTWAL, J.)

(B. P. DHARMADHIKARI, J.)