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

CRIMINAL WRIT PETITION NO.5769 OF 2018

Jatin Baroi and Anr.	...Petitioners
Versus	
Bajrang Dangi and Anr.	...Respondents

Ms.Gunjan Mangla, for the Petitioners.

Mr.Swapnil Ambure, for the Respondent No.1.

Mr.J.P.Yagnik, A.P.P. for the Respondent No.2 – State.

***CORAM : B.P. DHARMADHIKARI &
REVATI MOHITE DERE, JJ.***

DATE : 18th JANUARY, 2019

P.C. :

1. The Petitioners – Accused and Respondent No.1- Complainant state that they have amicably settled the offences punishable under Sections 279, 338, 417, 177, 34 and 120B of the Indian Penal Code. The FIR in that respect has been registered vide FIR No.576 of 2018 on 7th October, 2018.

2. Respondent No.1-Complainant has accordingly tendered affidavit and given no objection. He is present in Court and his identity is established by his learned counsel.

3. Learned A.P.P. however, points out that false information was given and though Petitioner No.1 was driving the car, which was taken on test drive by him from a dealer, it was attempted to be shown that a driver (Petitioner No.2) was infact at the steering wheel. He, therefore, submitted that there was an attempt to misled police and investigation.

4. The FIR received by the police at Exhibit – 'A' mentions name of Petitioner No.1 only as accused and it is claimed that he was driving the vehicle. This Report is lodged by the Respondent No.2 and Respondent No.2 there has not shown any other person as driver.

5. We, therefore, fail to understand, how, the Petitioner No.1 can be said to have misled the information. In any case, as the parties have amicably settled the offences, we accept their joint request and make Rule absolute in terms of prayer clauses (a) and (b).

REVATI MOHITE DERE, J.

B.P. DHARMADHIKARI, J.