

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

WRIT PETITION NO.5679 OF 2018

The Divisional Manager Bajaj Alliance Insurance
Company Ltd.

...Petitioner

vs.

The Commissioner of police and Ors.

...Respondents

Yogita D. Chitnis for the Petitioner.

Mr. K. V. Saste, APP for the Respondent/State.

**CORAM : B. P. DHARMADHIKARI &
N. R. BORKAR, JJ.**

DATE : 2/1/2020.

PC.:

. Insurance Company is before this Court contending that Investigating Officer who has looked into the complaint in relation to the accident has not recorded statement of eye witnesses correctly. Basis for this submission is the data collected by Insurance Company through private investigator.

2. Learned counsel submits that there is material contradiction in the statement of informant recorded first and in supplementary statement wherein informant has disclosed that he got knowledge of accident through two waiters working in a hotel nearby. In supplementary statement he has therefore attempted to introduce another vehicle. This other vehicle happens to be insured with the petitioner.

3. We find that no substance in the contention raised by the petitioner. It is open to the petitioner to raise all defences in accordance

with law at appropriate juncture before MACT.

4. Hence, without observing anything on merits of the controversy we dispose of the petition. No costs.

(N. R. BORKAR, J.)

(B. P. DHARMADHIKARI, J.)