

IN THE HIGH COURT OF JUDICATURE AT BOMBAY  
BENCH AT AURANGABAD

CRIMINAL APPLICATION NO.1101 OF 2022

SHOUKAT LATIF SHAIKH  
VERSUS  
THE STATE OF MAHARASHTRA AND ANOTHER

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Advocate for Applicant : Mr. Abhinay D. Khot  
APP for Respondent-State: Mr. S.D. Ghayal

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**CORAM : C.V. BHADANG AND  
BHARAT P. DESHPANDE, JJ.  
DATED : 10 JUNE 2022**

**PER COURT:-**

By this application under Section 482 of the Code of Criminal Procedure, the applicant is seeking quashing of F.I.R. bearing Crime No. 194 of 2018 registered with Dindrud Police Station, Tq. Mjalgaon, District Beed for the offences punishable under Sections 279 and 337 of I.P.C. r.w. Sections 134 and 187 of Motor Vehicles Act 1988 and consequential charge sheet No. 65 of 2019 filed before learned J.M.F.C. at Majalgaon, District Beed.

2. We have heard learned counsel for the applicant and learned A.P.P. With the assistance of learned counsel for the parties, we have gone through the copy of charge sheet.

3. It is submitted by learned counsel for the applicant that the applicant is the driver of the vehicle and his vehicle was not involved in the accident. In order to support the said submission, learned counsel has pointed out that there is certain overwriting in the matter of registration number of the vehicle, which was initially mentioned as “MH-13-AS-8779” which has been changed to “MH-13-AX-8779”. Secondly, it is submitted that the said vehicle is referred to as ‘pick-up’ while the vehicle of the applicant was a goods vehicle. It is submitted that there are statements of witnesses which indicate that it was a goods vehicle. Learned counsel submits that there is difference between vehicle which is referred to as a pick-up and the vehicle which is a goods vehicle. On these two grounds learned counsel has urged that the F.I.R. and the consequential charge sheet deserve to be quashed.

4. Learned A.P.P. submits that due to inadvertent error while mentioning registration number in the F.I.R. the same has been corrected and it does not change the aspect of identification of the vehicle involved in the accident. He

further pointed out that merely because the vehicle is referred to as a pick-up, is not sufficient to hold that the said vehicle was not involved in the accident.

5. We have considered the circumstances and the submissions made by respective parties. We find that the number of vehicle is merely corrected as “MH-13-AX 8779” which was earlier mentioned as “MH-13-AS-8779”. The said discrepancy while mentioning the number can happen on account of phonetic similarity while pronouncing “AX” and “AS”. The other material part of registration number is not shown to be changed, altered or scored out. Even referring the vehicle as a pick up in our view is not sufficient to hold that it is not a goods vehicle. Description of the vehicle as a pick up has to be seen as a common parlance reference. At any rate, this is not the stage where all these aspects can be appreciated, which can be done at the trial. No case is made out for quashing of the case. Criminal application is rejected.

**BHARAT P. DESHPANDE, J.**

**C.V. BHADANG, J.**

rlj/