

**IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD**

CRIMINAL APPLICATION NO.1100 OF 2023

Dr. Smita Sudam Gawade

... **APPLICANT**

VERSUS

1. The State of Maharashtra

2. Ravindra Kisan Kale

... **RESPONDENTS**

.....
Mr. A.K. Bhosle, Advocate for applicants
Mr. A.R. Kale, A.P.P. for State
Mr. K.P. Rodge, Advocate for respondent No.2.
.....

**CORAM : R.G. AVACHAT AND
SANJAY A. DESHMUKH, JJ.**

DATE : 18th JULY, 2023

ORDER :

Heard. The applicant is a medical practitioner, serving with Civil Hospital, Badnapur. She is charged with the offences punishable under Sections 304-A, 314 read with Section 34 of the Indian Penal Code. In view of the directions of the Apex Court in case of **Jacob Mathew Vs. State of Punjab & Anr., (2005) 6 SCC 1**, the investigating officer has obtained an opinion of a Committee constituted in terms of those directions. The Committee's report favours the applicant herein. We have, therefore, no option but to

allow the application. Hence the order :

ORDER

- (i) The Criminal Application is allowed in terms of prayer clause (C).
- (ii) The F.I.R. bearing Crime No.05 of 2023, registered with Kadim Jalna Police Station for the offences punishable under Sections 304-A, 314 read with Section 34 of the Indian Penal Code is quashed.

(SANJAY A. DESHMUKH, J.)

(R.G. AVACHAT, J.)

fmp/-