

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

CRIMINAL APPLICATION NO.2957 OF 2022

Ashish Jagannath Bhirud and others
Versus
The State of Maharashtra and another

Mr.L.V.Sangit, Advocate for applicants
Mr.P.N.Kutti, APP for respondent no.1
Mr.S.P.Rathod, Advocate for respondent no.2

**CORAM : R.G.AVACHAT AND
SANJAY A. DESHMUKH, JJ.
DATE : SEPTEMBER 27, 2023**

ORDER :-

Heard.

2. The applicants are sought to be prosecuted for the offence punishable under Section 304-A of Indian Penal Code. The FIR has been lodged by the father of the deceased. The deceased had completed M.B.B.S. and was on internship with the very college. He was residing in boys' hostel. It is informed that the hostel students were not permitted to use outside electric appliances, still, the deceased and his room-mate had brought an electric cooler in the hostel room. The deceased came in contact with the electric cooler and died of electrocution.

3. In view of the above factual backdrop, we endorse the settlement arrived at between the informant and the applicants. There is on record a document indicating the informant to have been paid Rs.5 Lakhs as *ex-gratia*. Moreover, additional Rs.3 Lakhs is being paid before us by demand draft. Respondent no.2 – informant gives express consent to allow the application.

4. In view of respondent no.2 – informant's consent and in the above factual backdrop as well, we find it to be a fit case to grant relief, as prayed for. The application is, therefore, allowed in terms of prayer clause (A).

[SANJAY A. DESHMUKH, J.]

[R.G. AVACHAT, J.]

KBP