

2. The genesis of the offence is a Dog puppy got crushed under the rear wheel of four wheeler which was driven by the Petitioner. It is claimed that the petitioner had no chance to note the movement of the puppy or he has no motive to commit the offence.

3. The Complainant has filed an affidavit extending consent for quashing the FIR against the Petitioner. It is claimed that since the Petitioner and the Respondent No.2 are the residents of the same Society, he has decided to extend consent for quashing of the FIR so as to have congenial atmosphere in the Society amongst its members/occupants.

4. Respondent No.2/Complainant who is present in the Court, is identified by his Lawyer and his Aadhar Card is verified by the learned APP. The Complainant admits to the contents of the consent affidavit.

5. In this background, having regard to the law laid down in the matter of *Gian Singh vs State Of Punjab & Anr.*¹ and *Narinder Singh & Ors. vs. State of Punjab & Anr.*² we deem it appropriate to allow the Petition in terms of prayer clause (a). No purpose will be served by continuing the prosecution against the Petitioner.

6. In view of above, the prosecution initiated against petitioner through Crime No.419 of 2022, registered with Ghatkopar Police Station for offences punishable u/Ss 279, 429 of IPC and Section 184 of the Motor Vehicles Act and Section 11(a)(1) of the Prevention of Cruelty to Animals Act and the subsequent chargesheet, are hereby quashed and set aside.

[R.N.Laddha, J.]

[Nitin W. Sambre, J.]

1 (2012)10 SCC 303.

2 (2014)6SCC 466.