

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO. 1587 OF 2019

Suresh Lalchand Bafna ... Applicant.

Versus

State of Maharashtra and Ors.. ... Respondents.

Mr. Bharat Gopal Thorat with Mr. Yogesh Salunke for the applicant.
Ms. M.H. Mhatre, APP for the Respondent-State.
Ms. Sahana Manjesh, for Respondent No.3.

**CORAM : NITIN W. SAMBRE &
SHARMILA U. DESHMUKH, JJ.**

DATE : June 15, 2023.

ORDER (Per : Sharmila U. Deshmukh, J.):

1. Heard.
2. The First Information Report (FIR) in question came to be lodged as against the Applicant by the reason of an accident alleged to have occurred on 20th June, 2018, in which the vehicle of the Applicant and the Respondent No.3 were involved. The Applicant seeks quashing on the premise that the parties have settled their dispute and have executed a settlement deed dated 8th November, 2019, in which the Respondent No.3 has accorded his consent not to pursue the criminal proceedings instituted against the Applicant further and to extend his consent for quashing.

3. The FIR being C.R.No.151 of 2018 has been lodged for the alleged offences under Sections 279, 338 of the Indian Penal Code, 1860 and Section 134 (A) and (B) of the Motor Vehicles Act, 1988. There is no vital injury and it appears from the allegation that the vehicles of both the parties were involved in the accident. As the parties have amicably settled their dispute and Respondent No.3, who is present in-person has extended his consent, contents of which is reiterated by the Respondent no.3, we find no fruitful purpose in continuing the criminal proceedings.

4. Considering the allegations in the FIR and the fact that the compromise have now been entered into between the parties, we deem it appropriate to allow the writ petition and quash and set aside the FIR being C.R.No.151 of 2018, and the consequent proceedings arising out of chargesheet being Criminal Case No.6401007 of 2019, pending before the learned Chief Metropolitan Magistrate, 64th Court, Esplanade, Mumbai.

5. Criminal Application stands allowed.

[Sharmila U. Deshmukh, J.]

[Nitin W. Sambre, J.]