



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH, NAGPUR.

CRIMINAL APPLICATION (APL) NO.1422 OF 2023

APPLICANT : Shreyash Parag Pandhripande,
Age 27, Occ:- Data analyst R/O
Hanuman Nagar, professor colony,
Ajni, Nagpur city, Maharashtra.

..VERSUS..

RESPONDENT : 1 The State of Maharashtra,
Through Police Station Officer, police
station Sitabuldi, Dis:- Nagpur

2 Kapil Dilip Patel,
Age 31, Occ Business, R/O Lakadganj
Queta colony, Infront of newera
hospital, Nagpur.

Mr A. S. Mardikar, Senior Advocate a/b Mr D. P. Singh, Advocate for Applicant.
Mr S. S. Doifode, APP for Respondent No.1/State.
Mr N. R. Tekade, Advocate for Respondent No.2.

CORAM : **VINAY JOSHI AND VALMIKI SA MENEZES, JJ.**

DATE : **11th OCTOBER, 2023.**

ORAL JUDGMENT : **(PER : VINAY JOSHI, J.)**

. Heard finally by consent of the learned Counsel
appearing for the parties.

Admit.

2. This is an application seeking to quash the First Information Report (FIR) in Crime No.564 of 2023, registered with Sitabuldi Police Station, District Nagpur, for the offences Punishable under Sections 279 and 427 of the Indian Penal Code, 1860 and under Sections 184 and 185 of the Maharashtra Motor Vehicles Rules, 1989, on account of mutual settlement.

3. It is Informant's case that while he was proceeding on a public road by four wheeler, the Applicant drove his four wheeler in rash and negligent manner under influence of liquor, dashed to the Informant's car and thus, the offence.

4. It is informed that the parties have mutually settled the dispute out of the Court. The Informant has filed an Affidavit stating that the matter is settled and he does not want to go on with the prosecution. He submits that he has no objection to quash the FIR. The Informant is present before us, who is identified by his learned Counsel Mr Tekade. On our query, the Informant has agreed about the settlement and has no objection for quashing the

proceedings. The nature of offence is pertaining to the road accident. Certainly, the offence cannot be termed as grave or heinous one. Since the matter is settled, there is no purpose in continuation of proceedings.

5. We have brought to the notice of the parties that because of the alleged act of Applicant, Police required to register an offence and carry investigation. The learned Senior Counsel for Applicant, on instructions, made a statement that the Applicant would pay the costs of Rs.10,000/-.

6. In view of the above, we are inclined to exercise our inherent powers. The criminal application is **allowed**.

7. We hereby quash and set aside the FIR in Crime No.564 of 2023, registered with Sitabuldi Police Station, District Nagpur, for the offences Punishable under Sections 279 and 427 of the Indian Penal Code, 1860 and under Sections 184 and 185 of the Maharashtra Motor Vehicles Rules, 1989.

8. The Applicant shall deposit costs of Rs.10,000/- with the High Court Gazetted Officers' Association, Nagpur, within a period of three days from today.

9. The criminal application stands disposed of.

10. The matter be placed on 16.10.2023 for noting compliance.

(VALMIKI SA MENEZES, J.)

(VINAY JOSHI, J.)