

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL WRIT PETITION NO. 1300 OF 2024

Tanish Aasish Ravani

...Petitioner(s)

Versus

State Of Maharashtra And Anr

...Respondent(s)

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Mr J. S. Kini a/w Mr. Aum Kini i/b. Miss Sapna Krishnappa, Advocate
for the Petitioner.

Ms. Sangita E. Phad, APP for the Respondent – State.

Mr. Prakash Shah, Advocate for the Respondent No.2.

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**CORAM : PRAKASH D. NAIK, &
N. R. BORKAR, JJ.**

DATE : 16th APRIL, 2024.

P.C.:

1. Not on board. Taken on board.

2. Petitioner is charge-sheeted for the offences punishable under Sections 279, 337, 338 of the Indian Penal Code, 1860, and Sections 134(a)(b) of the Motor Vehicles Act, 1988. FIR was registered with Pantnagar Police Station, Mumbai on 30th December, 2014 vide C.R. No.547 of 2015.

3. The complainant had alleged that on 30th December, 2015, the accused was driving the vehicle rashly and negligently and gave dash to the right leg of the complainant which resulted into injury.

4. The Injury certificate is annexed to this Petition which indicates that there was fracture to the leg of the complainant.

5. Parties have settled the dispute. The complainant is present through video conference. Petitioner is present in Court. The complainant is represented by the Advocate.

6. Affidavit of complainant is placed on record. The same is taken on record. The complainant is aged around 74 years. In the affidavit, it is stated that she has frail health due which she finds it difficult to travel and avoid stepping out of her house. She is residing at Surat. The complainant has no objection to the prayer sought in the Petition is granted.

ORDER

- i) Criminal Writ Petition No.1300 of 2024 is allowed and disposed off;
- ii) The proceedings in CC No.1162/PS/2016 pending before the Court of Metropolitan Magistrate, 73rd Court, Vikhroli, Mumbai arising out of FIR bearing C.R. No.547 of 2015 registered with Pantnagar Police Station, Mumbai, is quashed and set aside.
- iii) Petitioner shall pay the costs of Rs.15,000/- to the Kirtikar Law Library, High Court, Fort, Mumbai within a period of three weeks from today.

(N. R. BORKAR, J.)

(PRAKASH D. NAIK, J.)