



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

CRIMINAL APPLICATION (APL) NO. 1579 OF 2024

(Avik Sanjay Lodha vs. State of Maharashtra and another)

*Office Notes, Office Memorandum of Coram,
appearances, Court's orders of directions
and Registrar's orders.*

Court's or Judge's order

Mr. Suyash Agrawal, Advocate for applicant.
Mr. A.M.Ghoghare, APP for respondent No.1 State.
Mr. Sudhir Pandey, Advocate for respondent No.2.

CORAM : VINAY JOSHI AND ABHAY J. MANTRI, JJ.

DATE : OCTOBER 22, 2024

- 1) Heard.
- 2) On oral request the applicant is permitted to correct the name of Police Station in the cause title. Necessary amendment to be carried out forthwith.
- 3) This is an application seeking to quash FIR in Crime No.0598/2024 dated 30/08/2024 registered with Police Station Ambazari, District Nagpur City for the offence punishable under Sections 281 and 125(b) of the Bharatiya Nyaya Sanhita, 2023 and under Sections 134 and 177 of the Motor Vehicle Act, 1988 on account of settlement.
- 4) It is the informant's case that at the relevant time the applicant was driven his four wheeler in rash and negligent manner and dashed him causing injury of grave nature. The matter has been amicably settled between the parties. The informant is present before us, who is identified by his learned Counsel. The informant has filed a short affidavit-cum-reply stating about the settlement and his no objection. The informant stated that the applicant has borne medical expenses and

considering the close acquaintance, he is not inclined to go on with the prosecution.

5) The applicant's learned Counsel has submitted that despite medical expenses, which the applicant has already borne, he would pay an additional sum of Rs.10,000/- (Rupees Ten Thousand) to the informant towards the compensation. The applicant is present before us, who also stated that he would pay sum of Rs.10,000/- (Rupees Ten Thousand) additionally to the informant. We record his statement as an undertaking given to this Court.

6) The offence cannot be termed as heinous or anti social. The matter has been amicably settled. It is a case of road accident which has no social refercation. Since the matter is settled, we have no hesitation to invoke or inherit the power.

7) In view of above, the application is allowed, we hereby quashed and set aside FIR in Crime No.0598/2024 dated 30/08/2024 registered with Police Station Ambazari, District Nagpur City for the offence punishable under Sections 281 and 125(b) of the Bharatiya Nyaya Sanhita, 2023 and under Sections 134 and 177 of the Motor Vehicle Act, 1988.

8) The applicant shall pay sum of Rs.10,000/- (Rupees Ten Thousand) to the informant within one week.

9) Stand over to **12/11/2024** for noting compliance.

(ABHAY J. MANTRI, J.)

(VINAY JOSHI, J.)