

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION**

Writ Petition No.3711 of 2024

Dr. Padma Ramakrishnan ... Petitioner
V/s.
The State of Maharashtra & anr. ... Respondents.

Ms. Siddh Vidya a/w. Ms. Shalaka Karkar, Ms. Divya Maniar, Mr.
Arjun Yadav i/b. Siddh Vidya & Associates for the Petitioner.

Smt. M.M. Deshmukh, APP for the State.
Mr. Sagar S. Tambe for Respondent No.2.

**CORAM : SARANG V. KOTWAL
& S.M. MODAK, JJ.**

DATE : 29 January 2025.

P.C. :

This is a petition for quashing of FIR registered vide C.R. No. I-174/24 registered at Powai police station under Sections 279 and 337 of Indian Penal Code on 11th February 2024.

2. The FIR is lodged by Respondent No.2. He has stated that on 11th February 2024 at about 11.15 a.m. he was going towards Hiranandani Circle, Powai on his two wheeler. His wife was the pillion rider. According to him the petitioner was driving her car and because of her negligence and rash driving, she struck the informant's two wheeler because of which informant-respondent No.2 and his wife fell down. FIR itself mentions that petitioner got

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down from her car. She took the informant and his wife to Hiranandani Hospital, Powai. She helped in their medical treatment. The X-ray was taken and the informant's wife's leg was put in plaster. On this basis FIR is lodged. The investigation is over and charge-sheet is filed. Initially, this petition was filed for quashing on merits. The notice was issued to Respondent No.2. He was served and now he has tendered an affidavit giving consent for quashing of these proceedings.

3. We have perused that affidavit. He has mentioned in that affidavit that the petitioner has agreed to pay compensation amount of Rs.30,000/- as full and final settlement towards damages. Today in the Court a demand draft of Rs.30,000/- was handed over to Respondent No.2 who is present in the Court in the presence of his Counsel. The affidavit specifically mentions that Respondent No.2 and his wife have no objection for quashing of the FIR. Respondent No.2 is present in Court, on a specific question put to him he reiterated the stand taken in the affidavit-in-reply. He further added that he was filing that affidavit on his own behalf and on behalf of his wife. We have considered this position. The FIR itself mentions that petitioner had helped Respondent No.2 and his wife by taking them to the hospital immediately. She did not run away from the spot. She has paid Rs.30,000/- in the Court today. The Petitioner has sufficiently established her bonafides. Since there is no serious injury caused to either Respondent No.2 or his wife as is reflected from the

medical papers annexed to this petition, we are inclined to allow this petition. Hence, the following order:-

ORDER

- 1) The FIR registered vide C.R. No.174/2024 at Powai Police station and all the consequent proceedings are quashed and set aside.

- 2) The Writ Petition is disposed of.

(S.M. MODAK, J.)

(SARANG V. KOTWAL, J)