

IN THE COURT OF THE CHIEF JUDICIAL MAGISTRATE

STATE OF MAHARASHTRA

Case No.: CC/1234/2024

State of Maharashtra (Complainant)

Versus

Mr. Rajeev Sharma

S/o Mahesh Sharma

Age: 32 years, Occupation: Private Employee

R/o: 42, Andheri West, Mumbai - 400053

(Accused)

FIR No.: 198/2024

Police Station: Andheri West

Date of Incident: 14th March 2024

Date of Filing Charge Sheet: 25th March 2024

CHARGE SHEET UNDER SECTIONS:

- Section 279, IPC - Rash driving or riding on a public way
- Section 304A, IPC - Causing death by negligence
- Section 185, MV Act - Driving by a person under the influence of alcohol or drugs

FACTS OF THE CASE:

On 14th March 2024 at approximately 10:45 PM, the accused, Mr. Rajeev Sharma, was driving a Hyundai i20 bearing registration number MH 02 AB 4567 under the influence of alcohol. He was observed driving at a high speed in a rash and negligent manner near Veera Desai Road, Andheri West, Mumbai.

While attempting to overtake a two-wheeler, the accused lost control of his vehicle and collided with the said two-wheeler (Reg. No. MH 02 CV 9987), ridden by Mr. Sunil Patil, aged 28 years. The impact led to grievous head injuries resulting in his instant death.

A breathalyzer test conducted at the scene showed a BAC of 0.15%, exceeding the permissible limit of 0.03%.

STATEMENTS OF WITNESSES:

1. Ms. Rina Verma (Eyewitness) - "The car was zigzagging and over-speeding. It hit the bike from behind with great force."
2. Constable Manoj Pawar - "I chased the car after noticing suspicious movement. We stopped the driver and conducted a breath test."
3. Dr. Sameer Kulkarni - Confirmed death due to blunt trauma to the skull and upper thorax.

MEDICO-LEGAL REPORT (MLR):

- BAC Report: 0.15%
- Injuries to deceased: Compound skull fracture, brain hemorrhage
- Condition of accused: Smelled of alcohol, red eyes, unstable gait

CHARGES FRAMED:

- Rash and negligent driving (Sec. 279 IPC)
- Causing death by negligence (Sec. 304A IPC)
- Driving under influence of alcohol (Sec. 185 MV Act)

PRAYER:

In view of the serious nature of the offence, the Hon'ble Court is requested to:

1. Take cognizance of the offences.
2. Proceed with framing of charges and summon the accused.
3. Issue directions for suspension of driving license.

4. Consider appropriate punishment as per the law.

Date: 25th March 2024

Filed By:

Inspector Rakesh Naik

Andheri West Police Station, Mumbai