

MACT NO.....
SUKANT DEVI vs. AKSHIT SINGH & ORS.
FIR NO.454/2024
PS: M.S. Park
U/S 281/106(1) BNS

03.02.2025

Fresh DAR received by way of assignment. It be checked & registered.

Present : IO/SI Sohanvir Singh in person.
Petitioners no.1&2 in person.
Sh. Mahender Kumar, Ld. Counsel for the petitioner.
Sh. Sachin Kaushik, Ld. counsel for respondents
no.1&2.
Sh. S. Ghosh, Ld. counsel for respondent no.3/
insurance co.

This Detailed Accident Report (DAR) is treated as petition in view of section 166 of the M.V. Act.

Vakalatnama filed on behalf of petitioner and respondent no.1.

Memo of appearance filed on behalf of respondent no.2.

Copy of DAR has been supplied to Ld. counsel for the petitioner as well as to Ld. counsel for the respondents. Respondents are directed to file their reply/legal offer within 30 days from today. Let the advance copy of same be supplied to Ld. counsel for the petitioner.

Inter alia it is submitted by Ld. Counsel for the petitioners that it was after 3 days of the accident that the information of road traffic accident, which was done by respondent no.1, was given to the police. *Prima facie*, it appears that respondent no.1 violated the duties as imposed upon respondent no.1/driver under Motor Vehicle Act.

As per Section 134(b) of Motor Vehicle Act, “*it is the duty of the driver to give on demand by a police officer any information required by him, or, if no police officer is present, report the circumstances, if any, for not taking reasonable steps to secure medical attention as required under clause(a), at the nearest police station as soon as possible, and in any case within 24 hours of the occurrence,*”

The driver/respondent no.1 clearly violated the above Section. *Prima facie* along with other sections Section 187

of Motor Vehicle Act ought to have been invoked against respondent no.1 by the IO/SHO which has not been invoked as **IO has submitted that he would consult MACT cell/legal wing and shall take appropriate steps.**

Petitioners are directed to remain present in person on next date alongwith their original Aadhaar card and PAN card and she shall file photocopies thereof, if not filed.

Further, petitioners are directed to get open saving bank account near the place of their residence and shall produce the original bank passbooks on next date and shall file photocopies thereof. Further, for the protection of award amount, the Bank Manager of petitioner's bank is directed as under:-

- (i). No Cheque Book and ATM/Debit Card be issued to the claimant/ petitioner without permission of the Court. However, in case the ATM/Debit Card and/or Cheque Book have already been issued bank shall cancel the same before the disbursement of the amount.
- (ii). The Bank shall not permit any joint name(s) to be added in the savings bank account or fixed deposit accounts of the claimant.
- (iii). However, money may be released by means of withdrawal slip.

The Bank Manager of petitioner's bank is also directed to make endorsement regarding compliance of aforesaid directions on the passbook.

Put up for reply/further proceedings on **09.04.2025**.

(Vijay Kumar Jha)
PO (MACT-01)/SHD/Delhi
03.02.2025