

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY,
AURANGABAD BENCH, AT AURANGABAD.**

Criminal Application No. 1009 of 2015
(In Criminal Writ Petition No. 437 of 2014)

Ritesh s/o. Vijay Deshmukh,
Aged : 35 years,
Occupation : Agriculture,
R/o. Old Bungalow, Behind Rajgad
Bungalow, Ghat Road, Chalisgaon,
District : Jalgaon.

.. Applicant
(Original accused no.3)

versus

The State of Maharashtra,
Through Police Station Officer,
Police Station, Chalisgaon,
District : Jalgaon,
& another.

.. Respondents
(No.2 - Original complainant)

.....

Mr. S.S. Choudhari, Advocate, for the applicant.

*Mr. U.S. Mote, Additional Public Prosecutor, for
respondent no.1 - State.*

Mr. D.B. Thoke, Advocate, for respondent no.2 (Absent).

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CORAM : SMT. SADHANA S. JADHAV, J.

DATE : 18TH APRIL 2015

PER COURT :

1. Heard Adv. Mr. S.S. Choudhari for the applicant, and learned

APP Mr. U.S. Mote for respondent no.1 - State. None present for respondent no.2 (original complainant).

2. By the present application, the applicant (Petitioner no.2 in the petition) has sought an order of abatement of the petition as against petitioner no.1, namely, Nilesh s/o. Vijay Deshmukh, as the petitioner no.1 died during pendency of the petition.

3. The learned Counsel for the petitioner submits that the petitioner no.1 has expired on 1st December 2014. The death certificate is placed on record at Exhibit "A-1".

4. Hence, the Application is allowed. Criminal Writ Petition No. 437 of 2014 stands abated as against petitioner no.1, namely, Nilesh s/o. Vijay Deshmukh. The Application is accordingly disposed of.

(SMT. SADHANA S. JADHAV)
JUDGE

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