

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

CRIMINAL WRIT PETITION NO. 4562 OF 2014

Sunil Bhagchand Talreja

.. Petitioner

v/s.

The State of Maharashtra & Ors.

..Respondents

Mr. J.S. Chandnani for the petitioner

Mrs. U.V. Kejriwal, APP for the respondent State

Mr. Vijay C. Dolas, Sr. PI. and Mr. D.D. Ghogare, PSI, Vitthalwadi
Police Station present in Court

**CORAM: RANJIT MORE &
SMT. ANUJA PRABHUDESSAI, JJ.**

DATED: 12th MARCH, 2015.

P.C.

1. Heard. This petition is filed seeking direction to respondent no.2 to register the FIR against Mukesh P. Rajpal for the offence punishable under Sections 302 of the IPC and other offences under IPC as this Court deems fit and proper.

2. On the basis of the statement of Mukesh Rajpal that his wife committed suicide by consuming poison, Vitthalwadi Police

Station has registered A.D.R. No.29 of 2013 on 10.05.2013. The petitioner, who claimed to be *Rakhi* brother of the deceased, for the first time on 01.11.2013, after seven months from the the incident, made a representation to Senior PI. Vitthalwadi Police Station. The petitioner by this representation, made allegations that said Mukesh Rajpal forced the deceased to consume poison and thereafter directions were claimed to registered FIR under Section 302 of the IPC.

3. Mrs. Kejriwal, learned APP having taken instructions from the officer concerned, states that the investigation into the said ADR is still in progress. She submitted that *prima-facie* there is no material to attract Section 302 of the IPC. She further submitted that the statement of the petitioner would be recorded and allegations made by him would be inquired with. Statement is accepted.

4. In the above circumstances, we do not feel need to entertain

the petition. The Writ Petition is accordingly disposed of in the light of the statement made by the learned APP.

5. The petitioner is at liberty to approach Vitthalwadi Police Station for recording statement and the Investigating Agency thereafter shall look into the allegations made by the petitioner and take appropriate decision.

(ANUJA PRABHUDESSAI, J.)

(RANJIT MORE, J.)