

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH, NAGPUR.

CRIMINAL APPLICATION (BA) NO.731/2015

(Abdul Wahid Abdul Rafiq and anr. ..vs.. The State of Maharashtra, through PSO
Dabki Road, Akola)

Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's Orders.

Court's or Judge's orders.

Mr. S. V. Sirpurkar, Advocate for applicant.
Mrs.B.H. Dangre, Government Pleader for non applicant-State.

CORAM : A. B. CHAUDHARI, J.

DATE : NOVEMBER 24, 2015.

Heard learned counsel for the rival parties.

Learned counsel for the applicant, after
arguing the matter for some time, seeks leave to
withdraw the present application.

Leave granted.

Criminal Application No.731/2015 is
dismissed as withdrawn.

Mr. s. D. Pawar, PSI has filed an affidavit
explaining the circumstances that he has limited
knowledge of law and he made a mistake in filing
charge-sheet under Section 306 of the IPC, though he
agrees that the dying declaration as well as
statements of brothers of the deceased clearly
disclosed an offence under Section 302 of the IPC
muchless from the dying declaration of deceased.
He, therefore, prayed for pardon as he has served
only for six years and would not commit any such
mistake in future.

It appears that PSI Pawar has attempted to help the accused persons but since he has tendered apology and is filing an undertaking that he will not make such mistake in future, Superintendent of Police, Akola is directed to issue show cause notice for minor penalty to him and upon consideration thereof, if satisfied, impose a penalty of warning.

JUDGE

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