

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

**CRIMINAL WRIT PETITION NO. 953 OF 2015**

Narendra S/o Jijabrao Pawar  
Age 51 years, Occu – Service (PC No.2325),  
R/o. Bhikamchand Jain Nagar,  
Building No.5, Flat No.2, Pimparala Road,  
Jalgaon, Tq. & Dist. Jalgaon .. Petitioner  
(Orig. Accused No.8)

VERSUS

The State of Maharashtra .. Respondent

**WITH**  
**CRIMINAL WRIT PETITION NO. 966 OF 2015**

Gulab S/o Vitthal Patayet  
Age : 39 years, Occu.: Business,  
R/o : Golibar Tekdi,  
Samartha Nagar, Atharva Building,  
Dhule, Dist : Dhule .. Petitioner

Vs.

The State of Maharashtra .. Respondent

**AND**  
**CRIMINAL WRIT PETITION NO. 554 OF 2015**

Prabhakar S/o Sudhakar Jadhav  
Age : 50 years, Occu : Agril.,  
R/o. Ranjangaon, Chalisgaon,  
Dist. Jalgaon .. Petitioner

Vs.

The State of Maharashtra  
Through I.O.  
Zillha Peth P.S. Jalgaon .. Respondent  
(Orig. Complainant)

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Mr. R.M. Deshmukh, Advocate for the petitioner (953/2015)  
Mr. H.D. Deshmukh, Advocate for the petitioner (966/2015)  
Mr. P.B. Patil, Advocate for the petitioner (554/2015)  
Mr. N.T. Bhagat, A.P.P. for the respondent-State

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**CORAM : M.T. JOSHI, J.****DATE : 27/01/2016****ORAL ORDER :**

Rule. Rule made returnable forthwith.  
Writ Petitions are heard finally, with consent of the parties.

2. It is an admitted fact that this Court had allowed Criminal Writ Petition No.128 of 2015 and Criminal Writ Petition No.1368 of 2014, vide orders dated 10/03/2015 and 14/01/2015, respectively, and directed for quashing and setting aside of the Sessions Case and discharge of the co-accused.

3. Upon hearing both sides, it is clear that exactly similar allegations are there against the present petitioners.

. All the accused including the present petitioners and the discharged accused were facing Sessions Case No. 246 of 2012 for the offences punishable under section 306, 294, 500, 504 r/w. Section 34 of the Indian Penal Code.

. This Court has already found that no offence is made out from the material collected by the prosecution, on the basis of which the chargesheet is filed.

. The material would show that the deceased had purportedly left behind a suicide note, wherein it is noted that 15 persons (including the petitioner & discharged co-accused) had defamed the deceased in the society and, therefore, he was committing suicide.

4. In the circumstances, the present Writ Petitions are also required to be allowed. In the circumstances, the following order:-

5. The common impugned order dated 28/08/2014 passed by the learned Additional Sessions Judge, Jalgaon below Exhibit 31 in Sessions Case No. 246 of 2012 regarding the present petitioners is hereby quashed and set aside.

6. Petitioner – Narendra S/o Jijabrao Pawar in Criminal Writ Petition No. 953 of 2015, petitioner – Gulab S/o Vitthal Patayet in Criminal Writ Petition No. 966 of 2015 and petitioner – Prabhakar S/o Sudhakar Jadhav in Criminal Writ Petition No. 554 of 2015 are hereby discharged from Sessions Case No. 246 of 2012.

7. Rule is made absolute on the aforesaid terms in all the above Writ Petitions.

8. Writ Petitions stand disposed of accordingly.

**[M.T. JOSHI]**  
**JUDGE**

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