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

CRIMINAL APPLICATION NO.2783 OF 2016

Bhagwan s/o Aasaram Bodhare ..APPLICANT

VERSUS

The State of Maharashtra & anr. ..RESPONDENTS

Mr R.S. Deshmukh, Advocate for applicant;
Mr A.S. Shinde, Addl. Public Prosecutor for respondents

CORAM : N.W. SAMBRE, J.

DATE : 15th June, 2016

ORAL ORDER :

Heard.

2. *Prima facie*, it appears that the investigation in the matter is carried out in a casual manner. In view thereof, the Investigating Officer is directed to place the entire papers before the concerned Deputy Commissioner of Police, who shall peruse the same and issue appropriate instructions to the Investigating Officer, in the matter of carrying out investigation. The chit alleged to have been left by the deceased is seized, which was addressed to the Commissioner of Police. It is also not looked into whether the same was in-warded in the office of the Commissioner of Police and if so, whether the same was directed to the concerned police station.

(2)

3. Apart from above, *prima facie*, it is required to be noted that the role attributed to the applicant in commission of the crime appears to be only to the extent of offence punishable under section 306 of the Indian Penal Code. There is no material on record to infer that the applicant was having knowledge that because of his act the deceased will commit suicide. In view thereof, the application deserves to be allowed.

4. In view of above, ad interim protection granted to the applicant by this Court, vide order dated 24th May, 2016, stands confirmed.

Criminal Application stands allowed accordingly.

(N.W. SAMBRE, J.)

amj