

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

CRIMINAL WRIT PETITION NO.503 OF 2005

SYED MOHIUDDIN ALIAS A-1 TAILOR

PETITIONER

VERSUS

THE STATE OF MAHARASHTRA

RESPONDENT

Mr.C.V.Thombre, Advocate for the petitioner.

Mr.N.T.Bhagat, APP for respondent No.1.

(CORAM : RAVINDRA V. GHUGE, J.)

DATE : 07/06/2016

PER COURT :

1. Leave to correct the number of the proceeding in prayer clause C and D. Corrections be carried out forthwith.

2, This petition was admitted by order dated 03/02/2006 and interim relief, in terms of prayer clause "D" thereby staying RCC No.233/2001 pending before the learned C.J.M. Beed, was granted.

2. Grievance of the petitioner is that he was accused of having committed offences under section 465, 468, 471 and 420 of the IPC. By order dated 12/10/2004 passed in RCC No.998/2001, his application for discharge was partly allowed only to the extent of the offence punishable u/s 420 of the IPC. The said application was

rejected to the extent of the other provisions of the IPC. The petitioner, therefore, moved Cri.Rev.Petition No.7/2005, which was dismissed by the impugned order dated 08/07/2005.

3. Mr.Thombre, learned Advocate for the petitioner submits that respondent No.2 herein, who is the original complainant has passed away and as such his application u/s 156(3) of the Cr.P.C. as well as the cause of action would not survive. He, therefore, submits that this petition stands abated.

4. Considering the abovesaid statement, this petition is abated.

(RAVINDRA V. GHUGE, J.)