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

CRIMINAL REVISION APPLICATION NO.166 OF 2004

Laxman s/o Bhagwan Lad,
Age: 35 years, Occ: Labour,
R/o. Hadgalli Manwat,
Tq. Manwat, Dist. Parbhani. ..APPLICANT

VERSUS

1. The State of Maharashtra
2. Chandu s/o Audhut Kachave,
Age: 25 years,
3. Maroti s/o Tukaram Sorekar,
Age: 32 years, Occ: Driver,
4. Laxman s/o Avdhut Kachave,
Age: 22 years, Occ: Labour,
5. Narayan s/o Tukaram Sorekar,
Age: 32 years, Occ: Labour,

All R/o. Manwat,
Tq. & Dist. Parbhani. ..RESPONDENTS

Mr M.V. Salunke, Advocate h/f Mr V.D. Salunke,
Advocate for applicant;
Mr N.T. Bhagat, A.P.P. for respondent No.1;
Mr R.R. Chandak, Advocate for respondent Nos.2,3 &
5

CORAM : N.W. SAMBRE, J.

DATE : 1st SEPTEMBER, 2016

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ORDER :

Upon instructions, it is informed at bar, by learned Counsel for the respondents that accused-respondent Nos. 2, 3 and 4 have already expired. As such, revision abates against the said respondents.

2. Apart from above, the fact remains that the incident in question took place on 3rd June, 2001. The role attributed against only accused, who remained to be defend the present revision namely Narayan that he caught hold the complainant by neck and as such, his prosecution is sought to be punishable under Section 34 of the Indian Penal Code.

3. In my opinion, having regard to the fact that respondent Nos. 2 to 4 and main accused Chandu, who already expired and having declared the revision to be abated against the said respondents, no purpose will be served in exercising the revisional jurisdiction, particularly in remanding

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the matter so as to reopen the prosecution against accused Narayan. As such, no interference is called for. Criminal Revision Application fails and stands dismissed.

(N.W. SAMBRE, J.)

Tupe