

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

CRIMINAL APPLICATION NO.5597 OF 2016

Manisha w/o. Sanjay Pingalkar
@ Manisha d/o. Chunilal Vibhandik,
Age 44 Years, Occu. Service,
R/o. Bajaj Nagar, Nanded,
Taluka and District Nanded. **APPLICANT**

VERSUS

1. The State of Maharashtra,
Through Shivajinagar Police Station,
District Nanded.
2. Jalba Narayan Sonkamble,
Age 36 Years, Occu. Driver,
R/o. Jai Bhim Nagar, Nanded,
Taluka and District Nanded **RESPONDENTS**

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Mr.Amol S. Sawant, Advocate for the applicant
Mr.P.G.Borade, APP for Respondent – State

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**CORAM: S.S.SHINDE &
K.K.SONAWANE, JJ.**

Date: 08.12.2016

PER COURT:

1. Heard the learned counsel appearing
for the applicant and the learned APP
appearing for the respondent – State.

2. The learned APP appearing for the respondent – State, on the basis of investigation papers, submits that the statements of the students studying in the class room of the victim girl have been recorded. They have supported the allegations in the FIR.

3. The contentions of the learned counsel appearing for the applicant that the ingredients of the alleged offence punishable under Section 306 of IP Code are not attracted, the applicant never intended that Sandhya should commit suicide, and therefore, the FIR may be quashed, cannot be accepted. The investigation is in progress. At this stage to infer merely on the basis of the contents of the FIR would be prejudging issue. Therefore, at this stage, we are not inclined to entertain the application for quashing the FIR.

4. However, we make it clear that though we are not inclined to entertain the prayer for quashing the FIR, the rejection of the said prayer may not be construed as an impediment to the applicant to take exception to the charge-sheet in the event of filing of the same by the Investigation Officer or filing application for discharge, as the case may be.

5. With the above observations, the Criminal Application stands rejected.

[K . K . SONAWANE]
JUDGE

[S . S . SHINDE]
JUDGE