

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION**

CRIMINAL WRIT PETITION NO. 2205 OF 2016

Jaibai Baban Choudhary	.. Petitioner
V/s.	
The State of Maharashtra & Anr.	.. Respondents

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Mr.Tapan Thatte, Advocate for the Petitioner.
Ms.Sangeeta Shinde, APP for the Respondent - State.

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**CORAM : NARESH H. PATIL AND
PRAKASH D. NAIK, JJ.**

DATED : SEPTEMBER 23, 2016.

P.C. :

The Petitioner seeks further investigation in FIR No.421 of 2014 registered with Loni-Kalbhor Police Station. It is submitted by the learned counsel for petitioner that the deceased was assaulted and thrown in the well. It is tried to be projected as if it is a case of suicide. Learned counsel has thus placed reliance on the postmortem report and certain references in the Modi's Medical Jurisprudence and Toxicology.

2 Learned APP submits that the trial has commenced. Summons are already issued to the witnesses. Charge-sheet was

filed one and half years back. Learned counsel appearing for petitioner submits that an application was preferred before the police for further investigation. They have recorded statements of witnesses. Thereafter an application was filed in the Sessions Court praying for further investigation. Say of other side was called. The said application is still not decided.

3 In the fact, we are not inclined to interfere in the matter. However, we observe that at any stage the trial Court finds that charge is required to be altered or any further steps are required to be taken according to the Criminal Procedure Code, the trial Court on the available material or evidence led has liberty to resort to appropriate provisions.

4 Writ Petition stands disposed of.

5 Writ be transmitted forthwith.

(PRAKASH D. NAIK, J.)

(NARESH H. PATIL, J.)