

pdp

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL WRIT PETITION NO. 3146 OF 2015

Shri Sanjay Dnyanoba Shendge

.. Petitioner

Vs.

State of Maharashtra and ors.

.. Respondents

Mr. S. S. Deshpande for petitioner.

Mrs. M. M. Deshmukh, APP for State.

CORAM: NARESH H. PATIL &
PRAKASH D. NAIK, JJ.

OCTOBER 04, 2016.

P.C.

1. The petitioner's grievance is that his deceased brother – Vijay did not commit suicide. He was assaulted in the house and thrown out from the building. After 50 days of the incident, petitioner informed the police that there were blood stains on the wall of the house and some other traces of the offence which need to be investigated. The police had, by that time, commenced the investigation. Admittedly, charge-sheet came to be filed against the wife of deceased.

2. The counsel for the petitioner submitted that prior to this petition, petitioner's mother had filed Criminal Writ Petition No. 2639 of 2014. The court passed following order on 9/2/2015.

“1. Learned counsel for the petitioner seeks leave to withdraw the petition, with liberty to file fresh petition. Leave granted as prayed for. Petition is dismissed as withdrawn”.

3. Learned APP submits that she had taken instructions from the Senior Officer and the DCP. The information, which the petitioner provided, was disclosed after 50 days of the incident. The representation was made by the petitioner to the Deputy Commissioner of Police, Zone IV, Pune on 27/12/2013 whereas the date of incident is 6/10/2013. Learned APP submits that the Investigating Agency examined all the possibilities during the course of investigation. During the spot panchanama, police did not find blood stains on the wall.

4. In the facts and considering the material placed on record, we are not inclined to exercise our extra ordinary writ jurisdiction to issue further directions in the matter.

5. At this stage, learned counsel for the petitioner seeks leave to withdraw the petition.

6. Leave granted. Petition is dismissed as withdrawn.

(PRAKASH D. NAIK, J.)

(NARESH H. PATIL,J.)