

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

WRIT PETITION NO. 3290 OF 2016

Radhabai Mohan Jadhav	...	Petitioner
V/s.		
State of Maharashtra	...	Respondent

Mr.Sandeep S. Ladda for the Petitioner.
Mrs.M.M. Deshmukh, APP for the State.

**CORAM : RANJIT MORE &
DR.SHALINI PHANSALKAR-JOSHI, JJ.**

DATE : 22nd MARCH, 2017.

P.C. :

1] Heard Mr.Sandeep Ladda, learned counsel for the Petitioner and Mrs.Deshmukh, learned APP for the State.

2] This petition is filed seeking direction to transfer the investigation of CR No.348 of 2015 registered with Varje Malwadi Police Station, District Pune.

3] The dead body of the son of the Petitioner was found beneath the Raja Ram Bridge at Varje. The police initially registered ADR. Subsequently, on the Petitioner's complaint CR is registered for the offence punishable under Section 306 read with 34 of IPC against

the brother-in-law and father-in-law of the deceased. The investigation thereafter, was completed and charge-sheet is also filed.

4] Learned counsel for the Petitioner invited our attention to the injuries on the body of the deceased referred in the post-mortem report and submits that this is not the case of suicide but it is the case of brutal murder.

5] In the post-mortem following injuries are mentioned.

- “i) Laceration present over area involving posterior aspect of right ankle and right foot of size 08cm x 02cm x bone deep, with underlying calcaneum fractured, irregular, red.*
- ii) Contusion present over area of angle of mandible on left side of size 02cm x 01cm, irregular, red.*
- iii) Multiple incised wounds present over ventro-medial aspect of left wrist, over an area of size 10cm x 04cm of varying sizes from 09cm x 0.4cm to 02cm x 0.2 cm, all wounds are subcutaneous tissue deep, clean cut, red.”*

6] So far as the first two injuries are concerned, we are of the opinion that those injuries are possible by fall from the bridge. As far as the third injury is concerned, the police have recorded the statement of wife of the deceased and in her statement she has stated that the deceased has cut his wrist the day before the incident.

That apart, the police have also recorded the statement of one lady,

who alleged that she has seen the deceased jumping from Raja Ram Bridge. The police have also received by RPAD one suicidal note written by deceased. The note discloses that the deceased was harassed by his father-in-law and brother-in-law, therefore, he has committed suicide.

7] Considering above circumstances, at this stage, we are of the opinion that no case is made out for transfer of investigation on the allegation that the Petitioner's son was murdered. This petition is devoid of merits and therefore, the same is dismissed.

[DR.SHALINI PHANSALKAR-JOSHI, J.]

[RANJIT MORE, J.]