

FARAD CONTINUATION SHEET No.
IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH AT NAGPUR

CRIMINAL WRIT PETITION NO. 490/2017

(YOGESH SHANKARRAO DAHAKE **VERSUS** THE STATE OF MAHARASHTRA, THR. PSO, PS
 PRATAPNAGAR, NAGPUR & OTHERS)

 Office Notes, Office Memoranda of Coram,
 appearances, Court's orders of directions
 and Registrar's orders

Court's or Judge's orders

 Shri S.N. Ghodeswar, Advocate h/f Shri Y.V. Nayyar, counsel for the
 petitioner.
 Ms T.Khan, A.P.P. for the R-1 & 2.

CORAM : SMT. VASANTI A NAIK AND
M.G. GIRATKAR, JJ.

DATE : AUGUST 23, 2017.

By this criminal writ petition, the petitioner seeks a direction to the respondent nos.1 and 2 to conduct an enquiry against the respondent nos.3 and 4 on the basis of his complaints, dated 03.06.2017 and 11.06.2017 and register a first information report against them.

A report was lodged by the petitioner with the respondent no.1 that the respondent no.3-his wife and her colleague-the respondent no.4 with whom she had an illicit relationship, had hatched a conspiracy to murder him. Since according to the petitioner, the respondent no.2 was not taking any action on the report lodged by the petitioner, the present petition was filed.

On the previous date of hearing, though the learned counsel for the petitioner was not present, we had asked the learned Additional Public Prosecutor to take instructions as to what enquiry was made by the respondent no.2 in the complaints made by the petitioner.

Ms Khan, the learned Additional Public Prosecutor appearing for the respondent nos.1 and 2, states on instructions received by her from the Senior Police Superintendent, Police Station Pratapnagar vide communication dated 22.08.2017, that when the applicant was called to the police station, he had been to the police station with his wife-the respondent no.3 and he gave in writing that he had lodged the report as he had suspected illicit relationship between the respondent nos.3 and 4. It is stated that it is stated in the communication received by the learned Additional Public Prosecutor that the petitioner has given in writing that since he is satisfied that there is no illicit relationship between his wife and the respondent no.4, he is withdrawing the complaint-report lodged by him. It is stated that in view of the withdrawal of the complaint by the petitioner, no further action was taken.

In view of the statements made by the learned Public Prosecutor, it would be necessary to dispose of the writ petition. Hence, we dispose of the same with no order as to costs.

JUDGE

JUDGE

APTE