

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

**CRIMINAL WRIT PETITION NO. 546/2017**

(KRUSHNA @ SONU ASHOK DUBEY **VERSUS** THE STATE OF MAHARASHTRA & OTHERS)

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

Court's or Judge's orders

Shri R.B. Upadhyaya, counsel for the petitioner.  
 Shri A.M. Deshpande, A.P.P. for the R-1 to 3.

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

**DATE : SEPTEMBER 19, 2017.**

By this criminal writ petition, the petitioner seeks a direction against the State of Maharashtra, Home Department to make an enquiry and take appropriate action against the erring police officers for falsely implicating the petitioner in the offence punishable under Section 302 of the Penal Code. The petitioner has sought a direction against the respondents to pay compensation of Rupees Fifteen Lakhs to the petitioner.

We have perused the judgment of the trial Court. We have also perused the documents annexed to the writ petition. Merely because the prosecution was not able to prove that the petitioner Krushna @ Sonu had been guilty of committing the murder of deceased Vijay, the prayers made in the writ petition cannot be granted. We find from the evidence of more than a couple of prosecution witnesses that petitioner-Krushna @ Sonu went behind the other two accused persons on foot to the spot of incident, i.e. Palloti chowk, near Benarasi Pan Mandir. Merely because the trial Court had acquitted the present petitioner and had convicted accused no.1-Manoj, a case is not made out by the petitioner for grant of the relief claimed.

In the result, we dismiss the criminal writ petition. Order accordingly.

**JUDGE**

**JUDGE**

APTE