

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

Criminal Application No.3373 of 2014

- 1) Sopan s/o Tukaram Paikrao,
Age 55 years,
Occupation : Service,
(Railway Department)
- 2) Premilabai w/o Sopan Paikrao,
Age 50 years,
Occupation: Household.
- 3) Krishna S/o Sopan Paikrao,
Age 20 years,
Occupation: Education
All R/o HUDCO, New Nanded
Taluka & District Nanded.
- 4) Mahesh Sopan Paikrao
Minor
(Through applicants 1 & 2) .. **Applicants.**

Versus

- 1) The State of Maharashtra.
- 2) Sadashiv s/o Nagorao Dhuture,
Age 42 years,
Occupation: Labourer
R/o H.No.42, J-3 2018,
Vaibhav Nagar, New Nanded,
HUDCO,
Taluka and District Nanded. .. **Respondents.**

Shri. D.M. Shinde, Advocate, for applicants.
Shri. R.V. Dasalkar, Additional Public Prosecutor, for
respondent No.1.
Shri. V.P. Golewar, Advocate, for respondent No.2.

**Coram: T.V. NALAWADE &
K.L. WADANE, JJ.**

Date: 1 AUGUST 2018

JUDGMENT (Per T.V. Nalawade, J.):

1) The proceeding is filed for the relief of quashing of Crime No.10/2014 registered in Nanded Rural Police Station for offences punishable under section 306 read with 34 of Indian Penal Code. Both the sides are heard. Papers of investigation were made available by the learned APP which include copy of charge sheet filed against main accused Sambhaji Shinde.

2) The FIR is given by husband of the deceased. Present applicants have house in front of the house of the first informant and Sambhaji Shinde was their tenant. Deceased had disclosed to the first informant that Sambhaji Shinde was harassing her by calling her on mobile phone repeatedly. The first informant had promised the deceased to take some action. In the FIR he has contended that present applicants had also harassed them. It is not his contention that the present applicants

had in any way helped Sambhaji Shinde or the present applicants had harassed the deceased for any particular reason. The deceased committed suicide by jumping into well.

3) The submissions made and the record show that charge sheet is filed against Sambhaji Shinde. In view of nature of allegations which are very vague as against the present applicants, this Court holds that nothing can be achieved if charge sheet is filed as against the present applicants. This Court holds that relief needs to be granted to the applicants. In the result, the application is allowed. Relief is granted in terms of prayer clause (B). Rule is made absolute in those terms.

Sd/-
(K.L. WADANE, J.)

Sd/-
(T.V. NALAWADE, J.)

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