

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

CRIMINAL WRIT PETITION NO. 3166 OF 2018

Dr.Chanabasappa Dharagappa Keshgond ... Petitioner

Vs.

The State of Maharashtra ... Respondent

Mr.Anant Vadgaonkar for the Petitioner.
Mr.A.R.Patil, APP for the Respondent - State.

**CORAM: MRS.MRIDULA BHATKAR, J.
DATED : DECEMBER 03, 2018**

P.C.:

1. Upon urgent mentioning, taken on production board.
2. This Petition is directed against the order dated 20th June, 2018 passed by the learned Asstt. Sessions Judge, Solapur, thereby rejecting the application below exhibit 9 in Sessions Case No. 167 of 2015.
3. The petitioner/accused is facing charges under Sections 306 and 498A of Indian Penal Code. The petitioner/accused moved an application under Section 227 of the Code of Criminal Procedure for discharge. The said application was opposed by the prosecution and it was rejected by the learned Asstt. Sessions Judge, Solapur.

4. The learned counsel for the petitioner/accused has submitted that the order passed by the learned Asstt. Sessions Judge, Solapur is erroneous and there is no material on record against the petitioner/accused under Sections 306 and 498A of Indian Penal Code. He has further submitted that the neighbour had informed about the death of the daughter of the complainant. He has further submitted that the complainant was not present at the relevant time.

5. The learned APP while opposing this Petition, has relied on the order passed by the learned Asstt. Sessions Judge, Solapur.

6. Perused F.I.R. and the impugned order. After going through the F.I.R., it is found that there is enough material against the petitioner/accused to frame charge for the relevant offences as mentioned in the chargesheet. There are specific statements in respect of the torture and the harassment suffered by the deceased at the hands of the petitioner/accused.

7. This is not a fit case of discharge. Hence, the Petition is summarily dismissed.

8. The trial Court to proceed with the matter.

(MRIDULA BHATKAR, J.)