

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

WRIT PETITION NO.3765 OF 2017

Mukdev Chandradev Yadav

...Petitioner

vs.

The State of Maharashtra and Anr.

...Respondents

Mr. S. K. Chaurasia for the Petitioner.

Smt. S. D. Shinde, APP for the Respondent-State.

**CORAM : B. P. DHARMADHIKARI &
REVATI MOHITE DERE, JJ.
DATE : 29/01/2019.**

P.C.:

. Learned counsel for the petitioner submits that in an unfortunate accident his son expired. Police have registered accidental death. Learned counsel for the petitioner submits that Pratik Suresh Gavai who has lodged report ordinarily should not have accompanied the son of the petitioner and he should have gone with other group. He further adds that it takes hardly 10 minutes for one to travel from Vashi to Mankhurd and here time taken is about 2 hours. He also states that helmet worn by the deceased has not been produced.

2. Learned APP is relying upon investigation papers. She states that on spot no helmet was found and the iron rods protruding on back side of truck pierced the body of the deceased son who was riding motor cycle. Informant was a pillion rider thereon.

3. It appears that after celebrating the birthday friends were returning home. The petitioner has only expressed doubt but is not in

position to point out any ground to demonstrate why his son could have been murdered by anybody including the informant.

4. Taking overall view of the matter, we find no case is made out warranting intervention in writ jurisdiction. The petition is rejected.

(REVATI MOHITE DERE, J.)

(B. P. DHARMADHIKARI, J.)