

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH, NAGPUR

CRIMINAL APPLICATION (APPA) NO.683 OF 2018
IN
CRIMINAL APPEAL NO. OF 2018

(Ashok Jairamji Bhojane Vs. State of Maharashtra thr. PSO PS Jaulka, Tq. Malegaon,
 Dist. Washim and 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.J. Shinde, Advocate for Appellant.
 Ms. Ritu Kaliya, APP for Respondent 1/State.
 Shri N.R. Tekade, Advocate for Respondents 6 to 9.

CORAM: ROHIT B. DEO, J.
DATE: 22nd JULY, 2019.

In view of the decision of the Apex Court in *Mallikarjun Kodagali (dead) represented through legal representatives v. The State of Karnataka and others* reported in AIR 2018 SC 5206 it would not be necessary for the father of the deceased to seek leave to appeal.

2] Criminal Application (APPA) 683 of 2018 is disposed of.

3] The appeal be registered.

Criminal Appeal No. /2018:

Heard.

2] **Admit.**

3] Ms. Ritu Kaliya, the learned APP waives service for respondent 1/State.

4] Shri N.R. Tekade, the learned counsel waives service for respondents 6 to 9.

5] I have perused the contents of the suicide notes and the appreciation thereof by the learned Sessions Judge.

6] In view of the observation of the learned Sessions Judge that the contents of the suicide notes do not implicate the wife of the deceased or her family members, which observation is *prima facie* contrary to the material on record, it would be appropriate to revisit the evidence on record.

7] Issue notice for final hearing.

8] List on the final hearing board after the paper book is ready.

JUDGE