

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

92 CRIMINAL WRIT PETITION NO.402 OF 2012

KAILAS SADASHIV KALE

VERSUS

THE STATE OF MAHARASHTRA AND ORS

...

Advocate for Petitioner : Shri Sudarshan J.Salunke

APP for Respondents-State : Shri S.J.Salgare

...

**CORAM : T.V.NALAWADE &
M.G.SEWLIKAR, JJ.**

DATE: 1st December, 2020

PER COURT:-

1. Heard both the sides.
2. The proceedings is filed for giving directions to register a crime on the basis of the complaint/information given by the petitioner on 30-03-2012 to the Superintendent of Police, Beed. In the complaint, he has contended that his grandmother on matrimonial side died on 23-03-2012 and probably she was murdered by the persons named in the complaint, including Deelip Nikam. It is his contention that intimation of death of the said lady i.e. Droupadabai was not given to him and the murder was committed to grab her property of 9 acres of agricultural land. It is his contention that the accused persons have destroyed the evidence by burning the dead-body.

3. The say filed by the State shows that the reply is filed by the Superintendent of Police, Beed. Say shows that he has personally made enquiry. Say shows that enquiry was made and information was given to everybody of last rituals of the deceased. The present petitioner did not turn up even when intimation was given to him. Thus, the death was not concealed from anybody and last rituals were attended by the villagers and other relatives of the deceased.

4. It appears that the petitioner wants to create dispute of civil nature about property of the deceased and due to that he has made some allegations. The possibility of suspicion also cannot be ruled out. Everything was done by the persons under suspicion by informing to others and evidence shows that those persons were taking care of the deceased in the last days.

5. In view of above, this Court holds that nothing can be achieved by giving directions to register a crime. In the result, petition stands dismissed.

(M.G.SEWLIKAR)
JUDGE

(T.V.NALAWADE)
JUDGE

SPT