

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

CRIMINAL APPEAL NO.1053 OF 2004

The State of Maharashtra	Appellant/Complainant
Vs.	
Bhagwan Parashram Bhoge	Respondent/Accused

Ms. Pallavi Dabholkar, APP for State – appellant.

CORAM : K.R.SHRIRAM, J.
DATE : 6th MARCH 2020

P.C.:

- 1 Not on board. Upon mentioning taken on board.
- 2 Ms. Dabholkar, learned APP tenders a photocopy of an affidavit of one Smt. Kamal Ramdas Patil affirmed on 6th March 2020 and states that the said Smt. Kamal Ramdas Patil was complainant. Ms. Dabholkar states that the complaint was under Section 498-A, 306, 222 and 363 of the Indian Penal Code. Ms. Dabholkar states that original complainant, who was the sister of the deceased, has stated in the affidavit that she had filed the complaint due to anguish and frustration after her sister had committed suicide due to misunderstanding and that she never wanted to file any appeal against the judgment and order. However, the State of Maharashtra has filed the above appeal. In the affidavit, she states that the Court may confirm the order of the Sessions Court and dispose of the appeal.

3 For ease of reference, the affidavit is scanned and reproduced herebelow :



Coram :- Shri K. R. Shriram J
Date :- 0 MAR 2020

Tendered in ad
W
6/3/2020

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPEAL NO. 1053 OF 2004

State of Maharashtra,

Through Senior Police Officer,

Panchavati Police Station,

Nasik.

...Appellant

V/s

Bhagwan Parashuram Bhoge,

Residing at Kasturi Bhavan,

Near Laxman Zula Bridge,

Old Advagaon Naka,

Panchavati Nasik

... Respondent

AFFIDAVIT

1. I Smt. Kamal Ramdas Patil, aged about 58 years, presently residing at Kamalram Nivas, Kalaskar Nagar, Near Trikon Banglow, Panchavati, Nasik, the Original Complainant / First Informant above named do hereby state on solemn affirmation as under:-

2. I say that I had filed a Complaint against the accused above named with the Panchavati Police Station on 15/04/2001 after my sister and wife of the Accused Namely Asha Bhagwan Bhoge had committed suicide on 15/01/2001.

3. I say that on the basis of said complaint, an FIR was lodged by the Panchavati Police Station bearing FIR dated 16/01/2001 for the offences punishable under



sections 498/A, 306, 222 and 303 of the Indian Penal Code in respect of C. R. No. 263 of 2001.

4. I say that thereafter the case was committed to the Learned Sessions Court bearing Session's Case No. 198 of 2001 and after trial, the Learned Sessions Court was pleased to acquit the accused above named by its Judgment and Order dated 26/03/2004.

5. I say that I never wanted to file any Appeal against the said Judgment and Order, however the State of Maharashtra has filed the above Appeal.

6. I say that I had filed the Complaint due to anguish and frustration after my sister had committed suicide due to misunderstanding.

7. I say that I do not wish to prosecute the Accused any further and I have no objection if the Judge met and Order dated 26/03/2004 passed by the Session Court is confirmed and the above Appeal is disposed off.

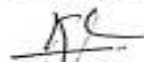
8. I say that I am filing this Affidavit voluntarily, out of free will without any force or coercion.

9. Say that the contents of this Affidavit are true and correct.

Solemnly affirmed at Mumbai

On this 6th day of March, 2020.

Identified and Explained by me

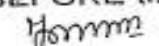

Advocate
Sanyal P. Kamble

| 
Deponent

Before me,

Reg. Sr. No. 265
Date: 6/3/2020



BEFORE ME

DIVYA S. SANGHVI
NOTARY PUBLIC, OF INDIA
GREATER MUMBAI
REGD. NO. 10408

4 In view of the above, Ms. Dabholkar states that the Court may dispose the appeal.

5 Appeal accordingly stands disposed.

(K.R. SHRIRAM, J.)