

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

CRIMINAL APPLICATION (APL) NO. 748/2020

Uday V. Navalekar & anr.

..VS..

State & anr.

Office Notes, Office Memoranda of Coram,
appearances, Court's orders or directions
and Registrar's orders

Court's or Judge's orders

Shri R.R. Vyas, Advocate for the applicant(s)
Shri T.A. Mirza, APP for the non-applicant no. 1

CORAM : Z.A.HAQ & AMIT B. BORKAR, JJ.

DATED : 03/12/2020

1] The applicants – accused have filed this application under Section 482 of the Code of Criminal Procedure praying that the first information report registered against them for the offences punishable under Sections 306 and 34 of the Indian Penal Code be quashed. According to the applicants, there is inordinate delay in registration of the first information report.

2] We have examined the facts. Though the incident is of 09/04/2019, the first information report came to be registered on 21/10/2020 and the delay is explained by the non-applicant no. 1 – State by pointing out that the first information report is registered after receiving the report of hand writing expert to the effect that the suicide note found by the Investigating Agency is in the hand writing of the deceased. As the first information report is registered recently on 21/10/2020, we are not inclined to abort the investigation. When we expressed this, learned advocate for

the applicants requested for permission to withdraw the criminal application with liberty to approach this Court again under Section 482 of the Code of Criminal Procedure after filing of the charge-sheet.

3] The criminal application is **dismissed** as withdrawn with liberty to the applicants to approach appropriate Court after filing of the charge-sheet, if filed.

JUDGE

JUDGE