

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

CRIMINAL APPLICATION NO. 2420 OF 2020

Sonyabapu S/o Uttam Jadhav and another

...Applicants

Versus

The State of Maharashtra and another

...Respondents

.....

Shri. R. S. Deshmukh, Sr. Advocate h/f Shri. D. R. Deshmukh &
Shri. H. H. Padalkar, Advocate for the applicants
Shri. K. S. Patil, APP for respondent No. 1
Shri. G. A. Kulkarni, Advocate for respondent No. 2

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**CORAM : RAVINDRA V. GHUGE
AND
B. U. DEBADWAR, JJ.**

DATE : 19th APRIL, 2021

PER COURT : -

01. On 06.04.2021, we had passed the following order : -

1. We are not satisfied with the details set out by the I.O. in his communication to the learned prosecutor dated 03-04-2021. He has not given us the present status of the investigation, after the first 'B' Summary report, under Section 169 of the Code of Criminal Procedure, 1973 tendered on 12-03-2020, was rejected by the learned J.M.F.C., vide order dated 22-10-2020. He should have informed us today of the position of the further investigation undertaken.
2. List this matter on 09-04-2021, to be called out immediately after the urgent admission board is over. We expect the I.O. to inform the Court as regards the latest stage in the investigation of the crime.

02. The learned Sr. Counsel submits on behalf of the

applicants that the informant has withdrawn her allegations against these applicants. It is by consent that the FIR may be quashed. Reliance is placed on the affidavit filed by the informant dated 10.02.2020, which supports the request of the applicants.

03. The learned Advocate representing the informant supports the contentions of the learned Senior Advocate and submits that she does not desire to take the FIR any further.

04. The learned Prosecutor has placed before us a compilation of nine (09) pages which is taken on record and collectively marked as "X-1" for identification. He informs that, the I.O. has now prepared 'B' summary report dated 18.04.2021 and the same would be tendered before the learned JMFC today itself. It is the first working day after a lock-down of about 10 days.

05. In view of the above, we find that this application need not be kept pending as the accused as well as the informant may put forth their stand before the learned J.M.F.C., in support of the acceptance of 'B' summary report.

06. Considering the above, this application is disposed off.

07. We expect the learned J.M.F.C., to deal with the 'B' summary report expeditiously and preferably before the onset of the summer vacation – 2021.

[B. U. DEBADWAR]
JUDGE

[RAVINDRA V. GHUGE]
JUDGE