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

904 CRIMINAL WRIT PETITION NO.1982 OF 2019

**BABASAHEB BALKRUSHNA DALVI AND ANR
VERSUS
THE STATE OF MAHARASHTRA**

...
Mr H. F. Pawar, Advocate h/f Mr H. D. Deshmukh, Advocate for
petitioners;
Mr S. G. Sangle, A.P.P. for respondent

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

DATE : 31st March, 2021

PER COURT:

1. This matter was heard for quite some time on 25/03/2021 and was posted today for passing orders. The learned Prosecutor had sought time to take instructions from the Investigating Officer with regard to the grievance of the petitioners that an offence punishable under Section 326 of the Indian Penal Code was not registered and needs to be added, considering the extent of the injuries suffered by the informant.

2. The learned Prosecutor has placed before us a communication (3 pages) dated 30/03/2021, received by him from the Assistant Police Inspector, Sonai Police Station. By virtue of the said communication, he is instructed to state that the Investigating Officer has noted on the basis of the medical report that the informant has suffered certain

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injuries, which are grievous in nature and for which, an offence punishable under Section 326 of the Indian Penal Code will have to be registered. The Investigating Officer is, therefore, taking steps as provided in law to approach the Trial Court for seeking leave for addition of the offence.

3. The communication placed before us is taken on record and marked 'X' for identification.

4. The learned Advocate on behalf of the petitioners submits, on instructions, that the petitioners are satisfied with the above recorded statement and this petition, therefore, stands worked out.

5. In view of the above, this petition is disposed off as the grievance of the petitioners has been redressed in view of the statement recorded herein above.

(B. U. DEBADWAR, J.)

(RAVINDRA V. GHUGE, J.)

sjk