

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

CRIMINAL APPLICATION (APL) NO.62/2021

Sahadeo Deorao Kharabe and anr. Vs. State of Maharashtra

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

Court's or Judge's orders

Shri H. M. Mohta, Advocate for Applicants.
Shri S. D. Sirpurkar, A.P.P. for Non-applicant/State.

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

DATE : 18/01/2021.

1. Heard.
2. By this application under Section 482 of the Code of Criminal Procedure, the applicants have prayed that the First Information Report registered against them vide Crime No.313 of 2020 for the offences punishable under Sections 304, 201 and 34 of the Indian Penal Code be quashed.
3. The accusations against the applicants are that because of their negligence in not taking appropriate care and caution, two persons died because of the live current from the electric meter fitted in the field of the applicants. According to the Investigating Agency, the applicants had put up wire fencing around their field, however, after they got knowledge that two persons died because of the live current in their field, they removed the wire fencing.

4. Learned A.P.P. pointed out that the investigation is still going on.

5. Undisputedly, two persons have lost their lives because of the live current. In our view, at this stage, it would not be appropriate to consider the prayer of the applicants under Section 482 of the Code of Criminal Procedure.

6. Hence, the criminal application is dismissed with liberty to the applicants to approach the appropriate forum after filing of the charge-sheet, if any.

JUDGE

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