

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

**CRIMINAL APPLICATION (APL) NO. 68/2021**

Nilkamal M. Bhoyar

..VS..

State of Maharashtra & anr.

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

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Shri A.G. Hunge, Adv h/f Shri O.K. Masurke, Adv for the applicant  
Shri S.D. Sirpurkar, APP for the non-applicant no. 1  
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**CORAM : Z.A.HAQ & AMIT B. BORKAR, JJ.**

**DATED : 15/01/2021**

1]                Heard.

2]                Crime No. 236/2020 is registered against the applicant and one more accused for the offence punishable under Section 304-A of the Indian Penal Code. According to the report lodged against the applicant and co-accused, one boy taking education in the primary school of which the applicant is headmaster, came in contact with the earthing wire which proved to be fatal. The facts on record show that the co-accused was working as headmaster of the school and had taken electric connection illegally from the neighbour which continued when the applicant took over as the headmaster of the school. Undisputedly, the applicant was the headmaster of the school when the unfortunate incident took place.

3]           The contention on behalf of the applicant is that he was not aware about the illegal electric connection, and therefore he cannot be prosecuted for the offence registered against him.

4]           The applicant has raised factual aspects which in our view cannot be examined in the extraordinary jurisdiction under Section 482 of the Code of Criminal Procedure. The crime is registered after the boy taking education in the primary school lost his life. In such serious matter, the criminal proceedings cannot be quashed for the asking of the accused and without there being complete investigation in the matter.

5]           Hence, the criminal application is **dismissed**.

**JUDGE**

**JUDGE**