

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

CRIMINAL WRIT PETITION NO. 154 OF 2021

(Lokesh s/o Nandram Raipure, Nagpur Vs. State of Maharashtra & Ors.)

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

Court's or Judge's orders.

Mr. Yash Maheshwari, Advocate for the petitioner.
Mr. T.A. Mirza, A.P.P. for respondent Nos.1 and 2.
Mr. Amit Khare, Advocate for respondent No.3.

.....

**CORAM : M.S. SONAK &
PUSHPA V. GANEDIWALA, JJ.
NOVEMBER 17, 2021.**

Heard Mr. Yash Maheshwari, learned counsel for the petitioner, Mr. T.A. Mirza, learned A.P.P. for respondent Nos.1 and 2, and Mr. Amit Khare learned counsel for respondent No.3.

2] Mr. Maheshwari, learned counsel for the petitioner pointed out to the affidavit filed on behalf of respondent No.2 and para 10 of the affidavit reads as follows :

“10. It is further submitted that the Inquiry Officer after conducting the enquiry came to be conclusion that no prima facie cognizable offence set to have been made out on the complaint made by respondent No.3, the witnesses have stated that Late Nandram Raipure has put his signature on the said Will and other persons concerning with the

Will has stated that the said Will was prepared by Late Nandram Raipure and put his signature, in view of the same as no cognizable offence can be set to have been made out. On the said complaint the Inquiry Officer has file the said complaint and there was no need to register the offence and accordingly, the information was also given to the complainant/respondent No.3 that on the basis of the complaint she has lodged no cognizable offence has been constituted. That the concerned persons and witnesses have stated that Late Nandram Raipure himself signed on the said Will in presence of witnesses and his medical condition was also duly ascertained by the Doctor and Advocate of the Notary has notarized the documents also testified about the preparation of will putting his signature by the concerned persons and the witnesses thereof. In view of the aforesaid, no offence was registered. The enquiry was conducted by the Inquiry officer in most expeditious manner.”

3] Mr. Maheshwari submits that in view of the aforesaid, the petitioner realizes that there is no point in pursuing this petition any further. He

accordingly submits that this petition may now be disposed of.

4] Accordingly, this petition is disposed of.

(PUSHPA V. GANEDIWALA, J.)

(M.S. SONAK, J.)

Sumit