

Versus

The State of Maharashtra and another ... Respondents

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Ms. Vilasini B. instructed by Mr. Jaydeep D. Mane for the Applicants.
Mr. K.V. Saste, APP for the State.

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CORAM : NITIN JAMDAR AND
N.R. BORKAR, JJ.

DATED : 20 JUNE 2022

P.C. :-

By this Application filed under Section 482 of the Code of Criminal Procedure, the Applicants are seeking to quash the FIR dated 22 May 2019 registered by C.R. No.102 of 2019 at Madha Police Station, District-Solapur.

2. The FIR was lodged on 22 May 2019 by the Respondent-Complainant, the mother of deceased Abhijeet Kamble. It was stated that her son had gone to Hyderabad and returned to his native place at Madha. At that time, behaviour of Abhijeet was odd and he did not speak anything. In the night, the Respondent-Complainant and others were sleeping on the terrace. In the morning, the Complainant

found that Abhijeet had committed suicide hanging himself on a ceiling fan. When the police arrived and carried out the panchanama, they found a chit which named the Applicant. It was stated in the chit that because of her and her harassment, Abhijeet was committing suicide. Accordingly, FIR was lodged under Section 306 read with section 34 of Indian Penal Code.

3. The learned Counsel for the Applicants submitted that the Applicants had filed an FIR prior in point of time and the allegations made in the FIR do not constitute any cognizable offence.

4. It is not the scope of these proceedings to examine the evidentiary value of the statements made in the FIR and of the suicide note. To accept the contentions of the Applicants, we will have to hold that because there is an FIR filed by the Applicants, the FIR in question is bogus, and also the suicide note. This is not the scope of proceedings under Section 482 of Cr.P.C. taken out for quashing of the FIR.

5. The Applicants have a remedy of applying for discharge, where the Applicants can raise all the contentions.

6. With these observations, the Application is disposed of.

(N.R. BORKAR, J.)

(NITIN JAMDAR, J.)