

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

CRIMINAL WRIT PETITION NO.368/2021

Madhav s/o. Ramchandra Kavhar Vs. The Superintendent of Police, Washim and Ors.

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

Court's or Judge's orders

Shri Raju Kadu, Advocate for Petitioner.
Ms M. A. Barabde, A.P.P. for Respondents/State.

CORAM : V. M. DESHPANDE AND
AMIT BORKAR, JJ.

DATE : 12/04/2022.

1. Heard Shri Raju Kadu, learned counsel for the petitioner and Ms M. A. Barabde, learned A.P.P. for the State.

2. By this petition, the petitioner is seeking writ of mandamus against the Police that they shall record the statement of the petitioner as per his say (Anexure C and D), which are annexed along with this writ petition.

3. The Investigating Officer has already registered the offence against the accused persons vide Crime No. 15/2021 for the offences punishable under Sections 324, 504, 506 read with Section 34 of the Indian Penal Code. According to the petitioner, the Investigating Officer ought to have registered the offences under Sections 307, 326 and 341 of the Indian Penal Code. We are afraid that at this stage, such relief can be granted inasmuch as during the trial if the material is brought on record to show that the accused persons have committed an offence punishable

under Section 307 of the Indian Penal Code. It will be always open for the learned Trial Court to add such offence. For that, in our view, this Court should not interfere at this stage. Hence, the Criminal Writ Petition is dismissed.

4. Pending application(s), if any, stand(s) disposed of accordingly.

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