

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
CRIMINAL WRIT PETITION NO. 2289 OF 2023

Zubair Ahmed Ansari ...Petitioner
Versus
The State of Maharashtra & Ors. ...Respondents

Mr. Prakash Wagh for the Petitioner.

Mr. V.B.Konde Deshmukh, A.P.P for the Respondent-State.

Mr. Ramchandra Godke a/w Mr. Sachin Chavan, PSI Wakad Police Station.

**CORAM : REVATI MOHITE DERE &
GAURI GODSE, JJ.**
DATE : 13th JULY, 2023

P.C. :

1. By this petition, the petitioner seeks a direction to the respondents i.e. the Police Authorities to apply Section 302 of the Indian Penal Code in C.R.No. 445 of 2023, registered with the Wakad Police Station, Pune. The petitioner also seeks a direction that the bakery owner also be impleaded as an accused for contravention of

the provisions of Child Labour Act and the provisions of the Indian Penal Code.

2. The grievance of the learned Counsel for the petitioner is, that the Police have registered an offence under Section 304A of the Indian Penal Code, when the facts reveal otherwise.

3. Learned APP states that inadvertently, in the FIR, it is mentioned as 304A instead of 304(II) of the Indian Penal Code. In view of the said statement, the grievance of the learned Counsel for the petitioner does not survive.

4. As far as, application of the provisions of the the Child Labour Act as against the owner of the premises where the deceased was working is concerned, learned APP states that the investigation is in progress and after investigation, appropriate decision will be taken.

5. In view of the aforesaid, nothing survives for further consideration in the aforesaid petition.

6. Petition is accordingly disposed of.

7. All concerned to act on the authenticated copy of this order.

GAURI GODSE, J.

REVATI MOHITE DERE, J.