

IN THE HIGH COURT OF JUDICATURE AT BOMBAY**CRIMINAL APPELLATE JURISDICTION****CRIMINAL WRIT PETITION NO. 5798 OF 2021****WITH****INTERIM APPLICATION NO.3874 OF 2022**

Abdullah Ashfaque Shaikh

...Petitioner

Versus

State Of Maharashtra

...Respondent

Mr. Vijay M. Emul appointed for Petitioner.

Mrs. M. H. Mhatre, APP for Respondent-State.

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**CORAM : A. S. GADKARI AND
PRAKASH D.NAIK, JJ.****DATE : 13th FEBRUARY, 2023.****P.C.:-**

1. In pursuance of Order dated 23rd November 2022, Shri Pramod B. Wagh, Superintendent, Nashik Road Central Prison has filed affidavit-in-reply dated 3rd January 2023. It is stated therein that, the allegations made in the Petition are not true and correct and are made only for getting transfer from Nashik Road Central Prison to other Jail. It is also stated that, the death of one of the prisoners namely Asgar Ali Mansoor in Prison was the suicidal death and Inquiry Report as contemplated under Section 176 of Cr.P.C. has been accepted by Sub Divisional Magistrate, Nashik Sub Division, Nashik.

2. In view thereof, we find no reason to further entertain present Petition.
3. Petition is accordingly dismissed.
4. In view of dismissal of present Petition, Interim Application No. 3874 of 2022 does not survive and is also disposed off.

(PRAKASH D. NAIK, J.)

(A. S. GADKARI, J.)