

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION**

CRIMINAL WRIT PETITION NO. 4923 OF 2022

Bapurao Shankar Suryavanshi	...	Petitioner
Versus		
State of Maharashtra & Ors.	...	Respondents

Mr. Pankaj D. Purway a/w Arnav Rane and Priyanka Mistry for the
Petitioner.

Mr. A. R. Kapadnis, APP for the Respondent-State.

**CORAM: NITIN W. SAMBRE AND
R. N. LADDHA, JJ.**

DATE : 7th FEBRUARY, 2023

P.C. :-

. The petitioner, a complaint in Crime No. 304 of 2022 for an offence punishable under Section 306 read with 34 of the Indian Penal Code, has approached this Court alleging that the respondent no.1 is not carrying out the investigation in accordance with law based on the incident of 17th June, 2022 as reflected in the FIR.

2. We have perused the FIR and the pleadings. The FIR was directed by the petitioner based on two incidents, one is of 17th June, 2022 and another is of 21st June, 2022, in the incident narrated in the FIR as regards 17th June, 2022, it is claimed by him that his two sons and daughter-in-law Ujwala aged about 33 years was assaulted by the respondent-accused persons. The petitioner has not lodged any complaint immediately after the said incident of 17th June, 2022.

3. On 21st June, 2022, the petitioner has discovered the dead body of his daughter-in-law Ujwala who was assaulted in earlier incident of 17th June, 2022. The grandson of the petitioner Swaraj aged about 5 years born to the Ujwala was also found dead in the very said wall where Ujwala allegedly committed suicide. The petitioner is trying to connect the cause of aforesaid suicide with that of the earlier incident of 17th June, 2022.

4. In response to the Court's query, the petitioner informs that the respondents-accused are yet to be charge-sheeted in the matter. In this background, at this stage, according to us it will be inappropriate to comment on the nature of investigation.

5. However, we direct the Investigating Officer to complete the investigation and take appropriate steps in the matter, in any case by 6th March, 2023.

6. We direct the learned APP to forward the copy of the petition to the Investigating Officer, so as to consider the claim put-forth by the petitioner in the petition by the said Investigating Officer at the time of investigation of the offence in question.

7. In the backdrop of the aforesaid observations, we do not see any reasons which warrants us to grant relief made in the petition. The petition accordingly stands dismissed.

8. Learned APP is directed to communicate this order to the concerned Investigating Officer.

[R. N. LADDHA, J.]

[NITIN W. SAMBRE, J.]

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