

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

CRIMINAL APPLICATION (APL) NO.155 OF 2023

[Anil s/o Shriram Gawande and Ors. ..V/s.. State of Maharashtra and
Anr.]

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

Court's or Judge's order

Shri A. M. Tirukh, Advocate for the Applicants.
Shri M. J. Khan, Addl. P. P. for the Non-Applicant No.1/State.

CORAM : VINAY JOSHI AND VALMIKI SA MENEZES, JJ.

DATE : 7th FEBRUARY, 2023.

. Heard.

2. The Applicants are seeking to quash First Information Report (FIR) bearing Crime No.287 of 2022, registered with Police Station Civil Lines, District Akola, for the offence punishable under Section 306 read with Section 34 of the Indian Penal Code, 1860, alongwith related criminal case on account of non-existence of any material to arrive at the conclusion that the act of Applicants' amounts to abetment to commit suicide.

3. We have heard Shri Tirukh, learned Counsel appearing for the Applicants and gone through the available record and the reported decision cited in support of his contention. Having regard to the available material and the scope of inherent powers, we are not inclined to entertain the challenge at the threshold. When we expressed our desire, the Applicants sought leave for withdrawal of this application with liberty to apply for discharge.

4. In view of above, criminal application stands disposed since withdrawn with liberty as prayed for. We hereby made it

clear that our non-inclination to grant relief is in relation to the inherent powers of this Court. The Trial Court may independently consider on merits, if Applicants apply for discharge.

(VALMIKI SA MENEZES, J.)

(VINAY JOSHI, J.)

TAMBE