

IN THE HIGH COURT OF JUDICATURE AT BOMBAY**CRIMINAL APPELLATE JURISDICTION****CRIMINAL WRIT PETITION NO. 1003 OF 2018**

Sunil S/o. Madhukar Mulye

.....Petitioner

Vs.

The State Of Maharashtra & Anr.

.....Respondents

Mr. Dushyant Pagare i/by Adv. Saiprakash Kadam for the Petitioner.

Mrs. A.A. Takalkar APP for the Respondent-State.

Mr. Mathur, S.P. of Nashik (Rural) present.

Mr. S.I. Netawate, P.S.I., Dindori Police Station, Nashik present.

**CORAM : A. S. GADKARI AND
SHYAM C. CHANDAK, JJ.****DATE : 20th MARCH, 2024.****PC.:-**

1) Learned APP tendered across the bar an Affidavit of Mr. Vikram Deshmane, Superintendent of Police, Nashik (Rural), District Nashik. To the said Affidavit, medical documents of deceased Atul P. Kedar are annexed.

1.1) At page No.50, the Final Cause Of Death Certificate issued by the Autopsy Surgeon, Civil Hospital, Nashik is annexed. The Autopsy Surgeon, has informed that, the probable/exact cause of death is "*Acute myocardial infarction & it's sequelae*".

1.2) The said fact is also stated in the Affidavit in paragraph No.14. In paragraph No.15 thereof, it is stated that, as per the Forensic Science

Laboratory report, no poison was found in the sample analysed by the Forensic Science Laboratory.

1.3) It is further stated that, after completion of investigation of the crime, the Police found that there is no evidence against the Petitioner to indict him as an accused in present crime and therefore police would be filing a report under Section 169 of Cr.Pc. before the Court of competent jurisdiction.

2) In view of the above, present Petition for quashing of CR. No. 303 of 2017 registered with Dindori Police Station, District Nashik does not survive and is accordingly disposed off.

(SHYAM C. CHANDAK, J.)

(A.S. GADKARI, J.)

SANJIV
SHARNAPPA
MASHALKAR

Digitally signed
by SANJIV
SHARNAPPA
MASHALKAR
Date: 2024.04.02
04:52:58 +0530