

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

INTERIM APPLICATION NO.1577 OF 2024
IN
CRIMINAL REVISION APPLICATION (ST) NO.8193 OF 2024

Navnath Hanumant Jadhav ...Applicant
vs.
State of Maharashtra ...Respondent

WITH
INTERIM APPLICATION NO.1611 OF 2024
IN
CRIMINAL REVISION APPLICATION (ST) NO.6831 OF 2024

Vinayak Kumar Nandmohan Thakur ...Applicant
vs.
State of Maharashtra ...Respondent

WITH
INTERIM APPLICATION NO.1612 OF 2024
IN
CRIMINAL REVISION APPLICATION (ST) NO.6824 OF 2024

Dhanpal Mangalsingh Tasewal ...Applicant
vs.
State of Maharashtra ...Respondent

Mr. Samarth Moray a/w Ms. Shivani Shinde a/w Mr. Abhishek Jani i/b. Ms. Jyoti Devalekar Joshte:	Advocate for Applicants.
Mr. Yogesh Y. Dabke:	APP for State.
Mr. P.S. Sable API.	MFC Police Station, Kalyan present.

CORAM : S. M. MODAK, J.
DATE : 22nd APRIL 2024

P. C. :-

INTERIM APPLICATION NO.1577 OF 2024
WITH
INTERIM APPLICATION NO.1611 OF 2024
WITH
INTERIM APPLICATION NO.1612 OF 2024

1. Heard learned Advocate for the Applicants. All the Applicants are facing prosecution for the offences punishable under Section 306 r/w 34 of the Indian Penal Code (for short "IPC"). The offence is registered with Mahatma Phule Police Station, Kalyan. The allegation is all of them were responsible for suicide committed by their colleague. He committed suicide by hanging on 21st June 2021. He was facing allegation of theft of air buds and other articles. All of them prayed for discharge but were unsuccessful. Their applications were rejected on 4th September 2023.
2. They were intending to challenge that order and also appointed an Advocate. However, she felt ill. Then they have approached the present learned Advocate i.e. why, there is delay in filing the Revision.

Even now the certified copy of the orders were obtained again.

3. Learned APP is opposing the delay condonation. However, the reasons are satisfactory. Hence, delay is condoned.

4. Applications are disposed of.

CRIMINAL REVISION APPLICATION (ST) NO.8193 OF 2024
WITH
CRIMINAL REVISION APPLICATION (ST) NO.6831 OF 2024
WITH
CRIMINAL REVISION APPLICATION (ST) NO.6824 OF 2024

5. Heard learned Advocate for the Applicants. It is contended that the materials filed along with charge-sheet is not sufficient to frame a charge and in fact, the Applicants cannot be blamed for the unnatural death of the deceased. However, the trial Court has not accepted their contention i.e. why the present Revisions.

6. They are pressing for some interim orders i.e. to say either exemption from the trial Court or staying the proceeding. Now the matter is fixed before the trial Court on 10th June 2023. They apprehend that trial Court will frame charge on that date. The Sessions case is comparatively new. It is of the year 2022.

7. At this juncture, I do not find that interim order is required.

Otherwise also if charge will be framed, it will be subject to outcome of the Revision i.e. to say, if they succeed in Revision, the order will be certainly set aside.

8. Even otherwise, if the trial Court is intending to proceed with recording of evidence, at that juncture, certainly the Applicants are having right to ask for stay and it will certainly be considered at that time.

9. Copy of charge-sheet is annexed in Revision Application (St) No.6824 of 2024 (at Sr. No.12).

10. There is no need to file copy of charge-sheet in other Revision Applications.

11. Let learned APP to go through the papers and find out what is the materials which justify framing of charge.

12. Stand over to **11th June 2024**.

[S. M. MODAK, J.]