

Jvs.

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

**PUBLIC INTEREST LITIGATION NO. 13 OF 2024
WITH
INTERIM APPLICATION NO. 3447 OF 2024
AND
INTERIM APPLICATION NO. 3187 OF 2021**

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Chitra Kishor Wagh	}	Petitioner
Versus		
State of Maharashtra & Ors.	}	Respondents

Mr. A. Y. Sakhare, Senior Advocate with
Mr. Joel Carlos for petitioner.

Dr. Birendra Saraf, Advocate General with
Mr. Ajay Patil, APP for State.

Mr. Sarang S. Aradhye with Ms. Gauri
Velankar and Mr. Shantanu Gurav for the
applicant in IA/3187/2021.

Mr. Pranav Badheka with Ms. Kavita
Dhanuka and Ms. Bhavya Shah i/b. Mr.
Sameer P. Nangare for the applicant in
IA/3447/2024.

**CORAM: DEVENDRA KUMAR UPADHYAYA, CJ. &
AMIT BORKAR, J.**

DATE: OCTOBER 25, 2024

P.C.:

1. Learned Advocate General representing the State-respondents has tendered to the Court a report dated 9th May 2021 furnished by the Assistant Police Commissioner, which is based on an inquiry conducted under section 174 of the Criminal Procedure Code, 1973. As per the inquiry report, it has been

concluded by the inquiry officer that the death had occurred either on account of suicide or because of accident.

2. Two orders dated 5th March 2021 have also been brought to our notice, which have been enclosed along with the affidavit filed by the Police Inspector, dated 4th April 2021, whereby two separate applications preferred under section 156(3) of the Criminal Procedure Code, 1973 were rejected by the Magistrate concerned on the ground that the said applications made by the applicants did not disclose occurrence of any cognizable offence.

3. For satisfaction of the court, we need to examine the evidence collected during the course of investigation, based on which the closure report dated 9th May 2021 has been filed.

4. We, accordingly, direct that an affidavit shall be filed by the appropriate authority of the respondents enclosing therewith the material on which the report dated 9th May 2021 is based. The said affidavit shall be filed by the next date of listing.

5. Stand over to **16th December 2024.**

(AMIT BORKAR, J.)

(CHIEF JUSTICE)