



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

CRIMINAL WRIT PETITION NO.812 OF 2024

Wasudeo Shalikram Gaikwad

vs.

State of Maharashtra, through Police Station Officer, Samudrapur Police Station, & Ors.

Ms N. P. Hiwase, Advocate for petitioner.

M4. U. R. Phasate, Additional Public Prosecutor for respondents-State.

CORAM :- NITIN W. SAMBRE AND MRS. VRUSHALI V. JOSHI, JJ.

DATE :- 19th DECEMBER, 2024

P. C.

Heard.

2. Sub-Divisional Police Officer, Hinganghat, in his affidavit duly sworn on 16.12.2024 has stated that in presence of Investigating Officer, a detailed discussion was carried out with Superintendent of Police, Wardha, who has agreed to their decision, which is formed by the Investigating Officer, so also the Sub-Divisional Police Officer that the death of the victim was suicidal in nature. Accordingly a report to that effect is submitted to the Sub-Divisional Magistrate, who has caused public notice thereby inviting objections.

3. The petitioner has every right to object to the report submitted to the Sub-Divisional Magistrate. In case, if the objection of the petitioner is accepted, the Sub-Divisional Magistrate can, after dealing with such objection, recall the papers and reject the recommendations of the Investigating Officer.

4. As the petitioner has every right to object to the report submitted to the Sub-Divisional Magistrate, which is informed to be under process, we deem it appropriate to dispose of the writ petition with directions to the Sub-Divisional Magistrate to consider the objections of the petitioner and deal with the same in accordance with law.

5. In case, if the petitioner is aggrieved by the decision of the Sub-Divisional Magistrate, he is at liberty to approach afresh.

6. With the above liberty, the writ petition stands disposed of.

(MRS.VRUSHALI V. JOSHI, J.)

(NITIN W. SAMBRE, J.)

Andurkar.