

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH : NAGPUR

CRIMINAL APPLICATION (APL) NO. 402/2024

(Gajanan Santosh Shingane & anr. Vs. State of Maharashtra & anr.)

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

Court's or Judge's orders

Mr. M.N. Ali, Advocate for applicants.
Mr. A. Chutke, APP for non-applicant No.1.

CORAM: VINAY JOSHI AND
MRS. VRUSHALI V. JOSHI, JJ.

DATED : 19/03/2024

Heard.

2. This is an application seeking to quash First Information Report ('FIR') vide Crime No. 673/2023 registered with Police Station Mehkar, Buldhana for the offences punishable under Sections 306, 504, 506 read with Section 34 of the Indian Penal code.

3. One Shankar has committed suicide on 21.11.2023 by hanging. On the following day, wife of deceased lodged report. The applicants who are creditors have allegedly abetted deceased is absent to commit suicide by act of persistent abetment.

4. It is applicants' contention that the allegation made in FIR does not disclose the act of abetment and more particularly the requisite mens rea to establish the offence.

5. Issue notice to the non-applicants returnable after six weeks. The learned APP waives service of notice for non-applicant No.1.

6. In the meantime, investigation may go on, but charge-sheet shall not be filed without obtaining leave of this Court.

(MRS. VRUSHALI V. JOSHI, J.)

(VINAY JOSHI, J.)

Gohane