



IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL WRIT PETITION NO.5578 OF 2024

Ramashankar Ramsurat Mourya

.....Petitioner

Vs.

The State of Maharashtra & Anr.

.....Respondents

Mr. Amol Mhatre, i/b Mr. Anvil S. Kalekar, for the Petitioner.

Ms. P. P. Shinde, APP for Respondents-State.

Mr. Sunil Appa Holar, PSI, Nhava Sheva Police Station is present.

CORAM : REVATI MOHITE DERE &

DR. NEELA GOKHALE, JJ.

DATE : 26th FEBRUARY 2025.

P.C.:-

1. By this Petition, the Petitioner essentially seeks a direction to the Respondent No.2-Senior Inspector of Police, Nhava Sheva Police Station, Uran, Raigad to provide a copy of the F.I.R. and the postmortem report of his brother-Deviprasad @ Devishankar Mourya, who allegedly expired on 30th July 2024, in a motor accident. The Petitioner also seeks a direction to register an offence and investigate the death of his brother.

2. Learned APP, on instructions, states that the Petitioner's

brother did not die in a road accident, but his dead body was found near the J.N.P.T. Gate. He submits that the cause of death was natural, on account of liver parenchymal disease. In one of the Medical Certificates shown by the learned APP, it has stated that a factor constituting to the death, was chronic alcoholism and that there was cardio-respiratory arrest. No injuries were found on the Petitioner's brother's body. The photograph of the dead body also does not show any injury on the Petitioner's brother, suggestive of any accident.

3. Learned APP further submits that pursuant to the findings recorded by the doctors, an A.D.R. was registered and after conducting necessary investigation, A.D.R. Summary report was filed by the police, which report has been accepted. Learned APP states that a copy of the A.D.R. Summary report including the post-mortem report will be handed over to the Petitioner or his Advocate during the course of the day. Statement accepted.

4. In view of the aforesaid, nothing survives for further consideration in the Petition.

5. The Petition is disposed of accordingly.

6. Needless to state, that it is open for the Petitioner to adopt appropriate remedy, as may be permissible in law.

(DR. NEELA GOKHALE, J.)

(REVATI MOHITE DERE, J.)