

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

Criminal Writ Petition No.95 of 2015

Manisha W/o Balaji Pawar.

.. Petitioner.

Versus

The State of Maharashtra
And Another.

.. Respondents.

Shri. Ram B. Deshpande, Advocate, for petitioner.

Shri. V.D. Godbharle, Additional Public Prosecutor, for
respondent Nos.1 and 2.

**CORAM: T.V. NALAWADE &
Smt. I.K. JAIN, JJ.**

DATE : 8th APRIL 2015

ORDER:

1) Seen the case diary. Grievance of the applicant, widow of the deceased, is that no statements are recorded of eye witnesses. Even when application in that regard was given on 12-12-2014 to the concerned police station, no such steps were taken. This Court has gone through the spot panchanama and it shows that the incident took place in front of house of one Kishanrao Lomte between

7.00 and 7.30 p.m. In the case diary there is no mention of making inquiry with anybody living in the vicinity of the spot of incident. It appears that without visiting the spot the so called investigation was done. The case diary shows that number of the vehicle involved in the accident was given by the relatives of the deceased. This circumstance cannot be ignored and so accordingly inquiry ought to have been made. The driver is already arrested.

2) In view of these circumstances, learned Additional Public Prosecutor submits that investigating agency will make inquiry with the persons named in the application dated 12-12-2014. If statements are recorded and something concrete is revealed from the inquiry, recording statements, the investigating officer needs to follow the subsequent procedure.

3) In view of the submissions made, the petition is disposed of.

Sd/-
(Smt. I.K. JAIN, J.)

Sd/-
(T.V. NALAWADE, J.)

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