

IN THE HIGH COURT OF JUDICATURE AT BOMBAY**BENCH AT AURANGABAD****CRIMINAL WRIT PETITION NO. 186 OF 2015****YUVRAJ S/I HANMANTRAO PATIL & ORS****VERSUS****THE STATE OF MAHARASHTRA & ANR**

...

Advocate for Petitioner : Mr. Gunale V. D.

APP for Respondents-State: Mr. B. L. Dhas

Advocate for Respondent No.2: Mr. R. D. Biradar

...

CORAM : T. V. NALAWADE &**SMT. I. K. JAIN, JJ.****DATE : 7th April, 2015****PER COURT :**

1. Submissions made by learned APP and learned counsel for the complainant show that petitioner Nos. 1 and 2 are not yet arrested and investigation is at initial stage and only after their arrest, on custodial interrogation, more material can be collected and investigation can make progress. In view of the circumstance, it is not possible to consider the present proceedings at this stage.

2. When this Court has expressed that the Court will dismiss the proceedings, the learned counsel for the petitioner, on instructions, submits that he wants to withdraw the writ petition with liberty to approach the Court again when arrest is made and progress is made in the investigation.

3. This Court has expressed that it is very serious on the part of investigating agency, as the persons could not get anticipatory bail but they are not yet arrested. It appears that one of the applicants is member

of Zilla Parishad. Appropriate authority is to consider the circumstances for taking proper departmental action against the investigation officer.

4. Criminal Writ petition is disposed of as withdrawn, with liberty as above.

(SMT. I. K. JAIN, J.)

(T. V. NALAWADE, J.)

JPC