

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

CRIMINAL WRIT PETITION NO. 756 OF 2015

MAHADEV S/O YEDBA PUNDE
VERSUS
THE STATE OF MAHARASHTRA & ANR

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Advocate for Petitioner : Mr. Undre Vikram S.
APP for Respondent/State : Mr. M.M. Nerlikar

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CORAM : S.S. SHINDE & A. I. S. CHEEMA, JJ.

Dated: July 08, 2015

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PER COURT :-

The learned Additional Public Prosecutor can appear for both the Respondents.

2. Heard.

3. Perused the documents placed on record along with memo of Petition, and in particular, the injury certificate. It is not in dispute that, the alleged assault is by axe. It appears that, the petitioner was treated in THE hospital. Injury certificate is on record. Prima facie, it appears that, investigation done by Respondent no.2 is not in a proper manner. The petitioner is right in raising the grievance that, there is no proper investigation.

4. In that view of the matter, we direct the

Superintendent of Police, Osmanabad to call the papers of investigation, and if necessary, to call the petitioner for hearing and issue appropriate directions to the Investigating Officer.

5. In case, the Superintendent of Police finds that, the concerned Investigating Officer is not suitable, he will be at liberty to hand over the investigation to some other Police Officer. Respondent No.1 to do the needful within four weeks from today.

6. The Petition is disposed of in above terms.

7. Parties to act upon an authenticated copy of this order.

(**A. I. S. CHEEMA, J.)**

(**S.S. SHINDE, J.)**

SGA/-

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