

IN THE HIGH COURT OF JUDICATURE AT BOMBAY,
BENCH AT AURANGABAD.
APPELLATE SIDE JURISDICTION

CRIMINAL WRIT PETITION NO. 882 OF 2015

PRATIBHA W/O DILIP BHIL
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS

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Advocate for Petitioner : Mr. P.P. Khandagale Patil.
APP for Respondents: Mr. A. S. Shinde.

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CORAM : **A. B. CHAUDHARI &
INDIRA K. JAIN, JJ.**
DATE : 16th September, 2015.

Per Court:

. Heard the learned counsel for the rival parties.

2 Perused paragraph Nos.6 and 7 of the affidavit in reply filed by Barku s/o Shama Jadhav for the State. We quote paragraph Nos.6 and 7 of the said affidavit in reply which read as under:

“6. I say and submit that, it is also reveals in the investigation that, the complainant Pratibha Dilip Thakre was not present on the day of incident at village Ghanegaon. Therefore, she had falsely stated that, on 16.1.2015 she was present at Ghanegaon.

7. I say and submit that, in view of the above facts and circumstances, no any evidence is found against accused persons, therefore, the accused were not

arrested till today. It reveals from the investigation that, the false FIR is filed by the complainant. The Investigation Officer is still investigating crime and after investigation, he will file appropriate report before the Ld. Trial Court.”

3 In view of the statement made in paragraph No.7 of the affidavit in reply that investigation is being carried out further and not stopped, we dispose of the present criminal writ petition since investigation is being carried out.

[INDIRA K. JAIN, J.]

[A. B. CHAUDHARI, J.]

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