

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

**CRIMINAL WRIT PETITION NO. 1288 OF 2015
WITH
CRIMINAL APPLICATION NO. 5952 OF 2015**

**MRS. SHEHNAAZ W/O BADSHAH PATEL
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS**

.....
Advocate for Petitioner : Mr. A. K. Bhosale
APP for Respondent/State : Mr. D. R. Kale
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**CORAM : S. V. GANGAPURWALA AND
V. K. JADHAV, JJ.**

DATED : 2nd DECEMBER, 2015

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PER COURT :-

1. Mr. Bhosale, the learned counsel submits that initially, when complaint was filed, no action was taken. As such, the petitioner was constrained to file a private complaint before the Magistrate. It is only after the order under Section 156(3) of Code of Criminal Procedure was passed, the F.I.R. was registered. No proper investigation is being conducted. The respondents allowed the accused persons to get anticipatory bail. The investigation be transferred to competent investigating agency, such as CBI or CID.

2. Mr. Kale, the learned APP submits that the moment F.I.R. is registered, within 2 to 3 days, the respondents have started recording statements of the concerned persons. About 8 to 10 statements are

already recorded. The documents are also called from the office of the Joint Charity Commissioner and the Commissioner for Handicapped. The moment the said documents are received, further steps would be taken.

3. Accepting the statement of the learned APP that about 8 to 10 statements are already recorded and further steps are also taken to call for the documents from the office of the Joint Charity Commissioner so also, certain documents from the office of the Commissioner for Handicapped, we dispose of the writ petition. Nonetheless, in case some flaw is committed by any of the parties, the concerned party is entitled to agitate in respect of the same.

4. In view of disposal of writ petition, criminal application No. 5952 of 2015 does not survive and the same is also disposed of.

(V.K. JADHAV, J.)

(S V GANGAPURWALA, J.)

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