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**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
CRIMINAL WRIT PETITION NO. 143 OF 2015**

Ajaykumar Subhash Sarangmath .. Petitioner

Vs.

The State of Maharashtra & Ors. .. Respondents

....

Mr. Amit Sale Advocate with Mr. Priyal G. Sarda Advocate for the Petitioner

Mr. Sunil V. Manohar Advocate General with Mr. Onkar Chandurkar Assistant Advocate General with Mr. S.K. Shinde P.P. with Dr. F.R.Shaikh A.P.P. for the State of Maharashtra

Ms. Chitra Pawar i/b Mr. Mahesh Jethmalani Senior Advocate for the Intervener.

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**CORAM : SMT.V.K.TAHILRAMANI AND
SMT. I. K.JAIN, JJ.**

DATED : FEBRUARY 04, 2015

P.C.:

1 Heard the learned counsel for the Petitioner and the learned Advocate General for the State of Maharashtra.

2 C.R. No. 160 of 2014 was registered at Valsang Police Station in relation to murder of Gurunath Katare who was a Member of Panchayat Samiti Kumbhari. The said murder took

place on 13.10.2014. The case of the Petitioner is that the Investigating Officer along with team of Inspectors and Constables who were working in the Crime Branch at Solapur i.e. Respondent Nos. 3 and 5 to 11 illegally detained him, abused him and beat him and forced him to be a witness in the said case and also got his statement recorded under Section 164 of Cr.P.C. before the learned Magistrate, hence, the Petitioner has preferred this petition praying that inquiry be initiated against Respondent Nos. 3, 5 to 11 and action may be taken against them. He has also sought compensation for illegal detention. In addition, the Petitioner has also sought that armed police protection be provided to him at the cost of State.

3 As far as the last prayer is concerned i.e. seeking armed police protection at the cost of State, at present police protection has been granted to the Petitioner at his cost. There is Committee constituted for considering cases of persons who need to be provided with police protection and whether the police protection is to be granted free of cost or at the cost of the said person. The Petitioner to make a

representation / application to the said Committee for providing armed police protection at the cost of State. The Committee on receiving application / representation to consider the same expeditiously.

4 As far as the other prayers are concerned, it may be stated that Criminal Writ Petition No. 4947 of 2014 has been preferred by the complainant Shivling Parshetti in C.R. No. 160 of 2014 of Valsang Police Station. He is the Petitioner No.1 in the said petition. Petitioner No. 2 is Pandit Katare who is the cousin brother of Gurunath Katare who is the deceased in C.R. No. 160 of 2014. C.R. No. 160 of 2014 is mainly under Section 302 of IPC. In the said case, order dated 12.12.2014 passed by the Inspector General of Police has been challenged whereby the investigation was transferred from the present Respondent No. 3 to State C.I.D. Pune. This Court dismissed the said Writ Petition by order dated 4.2.2015. In this view of the matter, the case would now be investigated by the State C.I.D. Pune. Looking to the fact that the investigation has been transferred to a higher investigating agency, it would be appropriate that the Petitioner waits till the investigation is concluded by State

C.I.D. Pune and thereafter if he is still aggrieved, he may adopt appropriate proceedings.

5 Thus this Writ Petition is disposed of with direction to the Committee to consider the application / representation on being made by the Petitioner for armed police protection at the cost of State as early as possible. Other prayers in the present petition are not being considered at this stage but liberty is granted to the Petitioner to prefer appropriate proceedings at a later stage after the investigation is concluded by State C.I.D. Pune.

6 Petition is disposed of accordingly in above terms.

[SMT. I.K. JAIN, J.]

[SMT. V.K.TAHILRAMANI, J.]

Kandarkar