

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION**

CRIMINAL WRIT PETITION NO. 607 OF 2015

Ajit Ghanwat

.. Petitioner

v/s.

The State of Maharashtra & Ors.

..Respondents

Mr. P.D. Purway for the petitioner

Mrs. U.V. Kejriwal, APP for the respondent State

CORAM : RANJIT MORE &

SMT. ANUJA PRABHUDESSAI, JJ.

DATED : 18th FEBRUARY, 2015.

P.C.

1. This writ petition is filed under Article 226 of the Constitution of India seeking direction to the respondent no.2 to register the FIR on the basis of complaint made by the petitioner and conduct his fresh medical test.

2. By order dated 13th February, 2015, having heard the petitioner's Counsel and learned APP for the respondent State, we had directed the respondent no.3 to record the petitioner's statement, investigate the same and to register the FIR, if the statement *prima-*

facie discloses commission of cognizable offence.

3. Mrs. Kejriwal, learned APP, having taken instructions from ASI, Mr. Nawle, who is present in the Court, makes a statement that on the basis of petitioner's complaint, FIR is registered on 16.02.2015 and the same is being investigated by the API, Mr. Patankar of Dindoshi Police Station. Learned Counsel for the petitioner makes a grievance that proper statement of the petitioner is not recorded, even written complaint was given and the same is not taken on record. He also complains that his medical test was also not conducted.

4. Learned APP states that the petitioner is at liberty to give additional statement, which will be recorded as a supplementary statement. Learned APP has stated that medical test of the petitioner shall also be conducted. Statement is accepted.

5. Considering the manner in which the investigating officer has

handled the investigation and considering the fact that the FIR was not registered immediately, despite it discloses commission of cognizable offence, we are directing that the said investigation shall be carried out under the supervision of DCP, 12th Zone.

6. In our considered opinion, the above directions would meet the ends of justice. The Writ Petition is disposed of with aforesaid directions.

7. Parties to act on an authenticated copy of this order, duly authenticated by the Associate of this Court.

(ANUJA PRABHUDESSAI, J.)

(RANJIT MORE, J.)