

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE SIDE JURISDICTION
CRIMINAL WRIT PETITION NO. 3377 OF 2015

Naveen Kumar Sharma

.....Petitioner

V/s.

State of Maharashtra

....Respondent

Mr. Naveen Kumar Sharma petitioner in person
Ms. G. P. Mulekar APP for State
Ms. Jyoti B. Patil, A.P.I., Dehu Road, Police Station,
Pune.

CORAM : SMT. SADHANA S. JADHAV, J.

DATED : AUGUST 26, 2015.

PC :

Heard petitioner in person and learned APP.

- 2) Rule. Rule made returnable forthwith with the consent of the parties.
- 3) Petitioner/Applicant herein is an accused in crime no. 65 of 2015 registered at Dehu Road Police Station for offence punishable under section 307, 504, 506 r/w 34 of Indian Penal Code. Petitioner had approached the Court of Sessions seeking pre-arrest bail. By an order dated 16/03/2015, petitioner was granted interim protection by Additional Sessions Judge, Pune.

Interim order was extended on 27/03/2015. Petitioner had filed an application before learned Sessions Court to direct the investigating agency to bring all material on record as according to the petitioner, he was not present at the place of incident when the alleged incident had occurred. The said application was rejected by the learned Sessions Judge on 18/08/2015. Learned Sessions Judge has rightly observed that Court has all the powers to call for the relevant papers of investigation and that Court was hopeful that Investigating Officer would place before the Court all the material collected in the course of investigation without any prejudice to the petitioner. Petitioner has challenged the order passed by learned Sessions Judge dated 18/08/2015 and prays that learned Sessions Judge be directed to call for papers of investigation including C.D.R. details and other documents.

4) This Court had issued notice to State. Today, Investigating Officer is present in the Court. Upon instructions from Investigating Officer learned APP fairly makes a statement that Investigating Officer undertakes to place on record all the material collected in the course of investigation including C.D.R. details, statement of police which would show that petitioner herein was not present on the scene of offence where alleged incident has occurred.

5) In view of this, order passed by Learned Sessions Judge dated 18/08/2015 does not warrant any interference.

ORDER

- (i) Writ petition stands dismissed with no order as to costs.
- (ii) Rule is discharged.

(SMT. SADHANA S. JADHAV, J.)