

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
CRIMINAL WRIT PETITION NO. 3488 OF 2014**

Asif Akbarali Mulji

.. Petitioner

v/s.

The State of Maharashtra

..Respondent

Mr. Diwakar & Dwivedi for the petitioner

Mrs. M.H. Mhatre, APP for respondent State

CORAM: RANJIT MORE &

SMT. ANUJA PRABHUDESSAI, JJ.

DATED: 17th AUGUST, 2015.

P.C.

1. This petition is filed seeking direction to the respondent to comply with the order dated 07.10.2000 passed by the learned Magistrate, 10th Court, Andheri, Mumbai and investigate the complaint filed by the petitioner vide C.C. No.37/S/2000 under Section 156(3) (b) of the Cr.P.C., copy of which is annexed at Exh.A at page 10 to the petition. The grievance of the petitioner is that even the learned Magistrate has passed an order under Section 156(3)(b) of the Cr.P.C. on 07.10.2000 and directed the Senior Police Inspector, Oshiwara Police Station to investigate petitioner's complaint, so far no action is taken by the Oshiwara

Police Station.

2. Mrs. Mhatre, learned APPP placed on record report dated 17.08.2015 submitted by the Senior Inspector of Police, Oshiwara Police Station, Mumbai. The report reveals that all the registers and vital documents have been destroyed in the rainy water during the deluge in Mumbai on 26.07.2005.

3. In the above circumstances, in our considered view, it would be appropriate to dispose of the petition by passing following order.

ORDER

. The petitioner is at liberty to give statement before the Senior Police Inspector of Oshiwara Police Station, Mumbai and thereafter Oshiwara Police Station shall comply with the order dated 07.10.2000 and proceed further in accordance with law as expeditiously as possible.

(ANUJA PRABHUDESSAI, J.)

(RANJIT MORE, J.)