

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
WRIT PETITION NO.4327 OF 2015

Shashikala Ramesh Patankar and anr. ..Petitioners
Versus
The State of Maharashtra and ors. ..Respondents

Mr. N. N. Gavankar i/b. Mr. Manas N. Gavankar, advocate for the petitioners.
Mrs. U. V. Kejriwal, APP for the State.

**CORAM : RANJIT MORE &
V. L. ACHLIYA, JJ.**

DATE : 14th DECEMBER, 2015.

P. C. :

Mr. Gavankar, learned counsel for the petitioners, at the outset, seeks leave to delete the name of respondent No.6. Leave as prayed for, is granted. Necessary amendment be carried out forthwith.

2. The petition is filed for the following reliefs:

“a) this Hon'ble Court be pleased to issue appropriate writ, order or direction ordering and directing Respondent No.5 to furnish copy of panchanama, if any, drawn by him or details as to disbursement of cash of Rs.35,000/- recovered from petitioner No.1 at the time of her arrest;

b) this Hon'ble Court be pleased to issue appropriate writ, order or direction ordering and directing Respondent Nos.2 to 4 & 6 to furnish details

as to the time and dates of raids conducted by them at the houses of the petitioners and to furnish inventory of the articles seized by them;

c) this Hon'ble Court be pleased to issue appropriate writ, order or direction ordering and directing Respondent Nos.2 to 4 & 6 to furnish details of title deeds/agreements, 7/12 extracts of landed property, Bank passbooks, FD Receipts, share certificates, IT return copies, other documents, vehicles, ornaments, cash and mobile hand-sets seized by them;

d) this Honb'le Court be pleased to issue appropriate writ, order or direction ordering and directing Respondent Nos. 2 to 4 and 6 to return original title deeds/agreements, 7/12 extracts of landed property, Bank passbooks, FD Receipts, share certificates, IT return copies, memory cards, other documents, vehicles, ornaments, cash, mobile hand-sets and CCTV cameras seized by them;

e) this Hon'ble Court be pleased to issue appropriate writ, order or direction ordering and directing Respondent Nos. 2 to 4 to re-install CCTV cameras as they were before effecting seizure;

f) this Hon'ble Court be pleased to issue appropriate writ, order or direction ordering and directing Respondent No.1 to disclose to this Hon'ble Court as to the measures taken by the police machinery in the State of Maharashtra to ascertain and confirm as to whether any seized substance is a "narcotic drug" or a "psychotropic substance" before arresting any person for offences punishable under the NDPS Act;

g) such other and further reliefs as the nature and

circumstances of the case may require, be passed;”

3. Mrs. Kejriwal, learned APP having taken instructions from the officer concerned – Shree Deepak B. Humbare, Dy.S.P. Wai/Khandala Police Station, makes a statement that charge-sheet is filed in respect of FIR filed with Khandala Police Station and investigation in respect of FIR filed with Marine Drive Police Station is pending.

4. In the above circumstances, Mr. Gavankar, learned counsel for the petitioners seeks leave to withdraw the petition with liberty to file appropriate proceedings before an appropriate authority. Leave with liberty as prayed for, is granted. The writ petition is dismissed as withdrawn.

5. It is expressly made clear that we have not gone into the merits of the matter and all rights and contentions of the respective parties are kept expressly open.

[V. L. ACHLIYA, J.]

[RANJIT MORE, J.]