

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY,**  
**NAGPUR BENCH, NAGPUR.**

**Criminal Writ Petition No. 278 of 2014**

(Anandpal Singh Gurnam Singh Jabbal Vs. State of Mah. through the  
Commissioner of Police, Nagpur and anr.)

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Office Notes, Office Memoranda of  
Coram, appearances, Court's orders  
of directions and Registrar's orders

Court's or Judge's order

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Shri R. S. Renu, Advocate for petitioner  
Shri M. K. Pathan, APP for the State/respondents  
Shri Atul Pande, Advocate for intervenor

**CORAM : B. R. Gavai and P. B. Varale, JJ.**

**DATE : 30-9-2015.**

Heard learned counsel for the parties.

The petition has been filed by the petitioner directing the Police Station Officer, Panchpaoli Police Station, Nagpur for detailed investigation into the said crime which according to the petitioner is made out in view of the report lodged by the petitioner.

The matter has proceeded from time to time. Various affidavits are filed on behalf of the respondents. The last such affidavit filed on 13-7-2015. The perusal of the affidavits would reveal that the accused persons named in the First Information Report were called for the investigation. Their statements were recorded and the Cyber Crime Branch has been requested to get the details from Google as to who has uploaded the alleged obscene songs. Insofar as the allegations against one Raftar are concerned, in the affidavit dated 13-7-2015, it has been stated that the song which was downloaded

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from YouTube does not pose Raftar nor his name appears in the said song and as such, respondent no. 2 did not register any offence against Raftar nor has been made accused in the present crime. It is further stated that as and when investigating agency requires the presence of accused persons, their presence would also be ensured.

The Apex Court in the case of *M.C. Abraham and anr. Vs. State of Maharashtra and ors.* reported in *(2003)2 SCC 649* observed that the Court cannot direct the investigation to be done in the particular manner. The investigation is in process. No purpose will be served by keeping the petition pending. The petition is, therefore, disposed of reserving the right of the petitioner to take such steps as are permitted in law at appropriate stage.

**JUDGE**

**JUDGE**

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