

**FARAD CONTINUATION SHEET
IN THE HIGH COURT OF JUDICATURE AT BOMBAY,
NAGPUR BENCH : NAGPUR.**

CRIMINAL WRIT PETITION (wp) No. 522 OF 2015

Shafi s/o Ismail Sheikh & anr.

v.

The State of Maharashtra

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

Courts's or Judge's orders

**Coram : B.P .Dharmadhikari and
V.M.Deshpande, JJ.**

Date : 15th DECEMBER, 2015

Challenge by the petitioners is to the F.I.R. dated 6.5.2015 on the basis of which crime No. 131/15 came to be registered. It is not in dispute that the charge-sheet is already filed.

After hearing respective counsel, this Court on 26.10.2015 directed District Superintendent of Police to independently get the matter again investigated from another Senior Officer not below the rank of Police Inspector and submit report to this Court.

Accordingly, that report bearing outward No. 6227/15 dated 14.11.2015 of Bhandara police station has been submitted to this Court. It shows investigation by one Jaiwant Chavan, Police

Inspector of police station Bhandara. It is accompanied by necessary papers/documents.

We have perused the said report. Shri Vyas appearing for petitioner Shafi s/o Ismail Sheikh, seeks copy of that report. However, this report does not form part of charge-sheet. Hence, we are not inclined to provide its copy.

The report does not show any error with the earlier investigation. We direct the Registrar (J) to place both copies of reports in sealed envelope to preserve it along with the case record.

As we find that the investigation has been properly carried out, the other contentions of Advocate Vyas basically pertaining to defence of petitioners in the said matter cannot be appreciated at this stage. Hence, leaving those contentions open and with liberty to petitioners to take such other steps as are open in law, we dispose of the writ petition. No costs.

JUDGE

JUDGE

/TA/