

HON'BLE SRI JUSTICE VILAS V.AFZULPURKAR

W.P.No.2103 of 2015

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ORDER:

Heard.

The petitioner, who is A2 in Cr.No.1325 of 2014, seeks a direction to the 2nd respondent to follow the proposition of law laid down in ***ARNESH KUMAR Vs. STATE OF BIHAR***^[1].

The instructions of the learned Government Pleader show that the said crime was registered on 06-11-2014 and the investigation is taken up. During the course of investigation, the investigating officer examined the complainant and recorded his statement and further investigation is pending. It is also stated that necessary steps will be taken against the accused including the petitioner by following the due procedure as contemplated under law and also as per the provision of Section 41-A Cr.P.C. It is also stated that the petitioner has filed Crl.P.No.682 of 2015 before this Court and the same is pending.

In view of the fact that the 2nd respondent specifically stated that he will follow the provision of Section 41-A Cr.P.C. and take appropriate action as per the due procedure under law, in my view, after recording the same, no further direction is called for.

Accordingly, the Writ Petition is disposed of. No order as to costs.

The miscellaneous petitions, if any, pending in this writ petition shall stand closed.

VILAS V.AFZULPURKAR, J

Date: 06-02-2015

Prv

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^[1] 2014 SC 2756