

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

18 CRIMINAL WRIT PETITION NO. 694 OF 2016

MOTIRAM S/O TULSHIRAM NIKAM
VERSUS
THE STATE OF MAHARASHTRA & ORS.

...
Advocate for Petitioner : Mr. V. J. Dixit (Senior Counsel)
APP for Respondents: Mr. D. R. Kale

. . .

CORAM : S.S. SHINDE &
K.K. SONAWANE, JJ.

DATE : 16TH DECEMBER, 2016.

PER COURT:

1] Heard learned Senior Counsel for the petitioner, learned APP for the respondents.

2] At the outset, learned Senior Counsel assures this court that the petitioner will make himself available for recording further statement by the Investigation Officer on 19th/20th December, 2016.

3] We have carefully perused the statement of the petitioner recorded by the Investigation Officer and also supplementary statement. In our opinion, learned Senior Counsel is right in his submission that the Investigation Officer ought to have added Section 120B and 307 of IPC, while filing the charge sheet. In that view of the matter, we direct the concerned Investigation Officer to take appropriate steps to add those sections, keeping in view the allegations made by the petitioner in his main statement and supplementary statement recorded by the Investigation Officer.

4] We are not inclined to entertain the other prayers in the petition.

5] With the above observations, writ petition stands disposed of.

[K.K.SONAWANE]
JUDGE

[S.S. SHINDE]
JUDGE

grt/-