

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
APPELLATE SIDE, BENCH AT AURANGABAD

Office Notes, Office Memoranda of Coram, appearances, Court's orders or directions and Registrar's orders		Court's or Judge's orders
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27 CRIMINAL WRIT PETITION NO.744 OF 2016

BALKRISHNA S/O DAMODAR AMRUTKAR
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS

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Advocate for Petitioner: Mr.Nagargoje Prashant M
APP for Respondents/State: Mr.A.R. Borulkar.

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CORAM: S.S. SHINDE & K.K. SONAWANE, JJ.
Dated: August 16, 2016

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Heard the learned Counsel for the petitioner and the learned APP appearing for the respondents / State. With their able assistance, perused the documents placed on record and the reply filed by the respondents.

2. It appears from the documents placed on record that the concerned Police Officer, in pursuance of the nonailable warrant issued to the petitioner, took the petitioner in custody on 19th June, 2012 at about 12.00 p.m. and thereafter, he was produced before the Magistrate on 19th June, 2012 at 3.40 p.m. We are not able to comprehend the submission of the

learned Counsel for the petitioner as to which procedure was not followed by the Police Officer. Even, if we take the contention of the petitioner as it stands that the petitioner was arrested on 18th June, 2012 at 7 p.m. and produced before the Magistrate on 19th June, 2012 at 3.40 p.m., the said arrest and production before the Magistrate was in pursuance of the nonailable warrant issued by the Magistrate. By any stretch of imagination, we do not think that this is a case wherein this Court can adjudicate the prayers for compensation and also inquiry of the respondent – Officer.

3. In that view of the matter, since the petition raises disputed questions of facts, the petition is devoid of any merits and the same stands rejected.

(K.K. SONAWANE, J) (S.S. SHINDE, J)