

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

CRIMINAL WRIT PETITION NO. 1392 OF 2015

Subhash s/o Kondiba Chaudhari

...Petitioner

VERSUS

The State of Maharashtra & anr.

...Respondents

.....
Shri N.V.Gaware, advocate for petitioner
Shri K.S.Patil, A.P.P. for respondent/State
.....

CORAM : A.V.NIRGUDE

AND

INDIRA K.JAIN, JJ.

DATED : 6th January, 2016

ORDER :

Petitioner is complainant in Crime No. 223 of 2015. In his complaint he named nine accused, who according to him committed offences punishable under Sections 143,147, 323,342, 379, 363, 504, 506 r/w 149 of the Indian Penal Code. According to him, the police neglected his complaint and did not conduct investigation properly. He further alleged that the police purposely avoided proper investigation because two accused amongst nine named in the complaint were related to the then Minister of the State of Maharashtra.

2] The petition is filed seeking further investigation, arrest of the accused, etc. The petitioner also seeks disciplinary action against the concerned investigating officer. The learned A.P.P. on

instructions informs the court that investigation in the case was over and charge sheet against seven accused is already filed. No affidavit is filed either to deny or confirm the allegations made.

3] In view of this, we indicate that there is scope for further investigation at least in respect of alleged inaction of the investigating officer. The State of Maharashtra is directed to look into the allegations and take proper action. Petitioner is also given liberty to initiate separate criminal case against the dropped accused.

4] Petition stands disposed of.

[INDIRA K.JAIN, J.]

[A.V.NIRGUDE, J.]

dbm/crwp1392.15