

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE SIDE JURISDICTION

CRIMINAL PUBLIC INTEREST LITIGATION NO. 31 of 2015

Mr. Rajesh Punraj Khobragade and Ors. .. Petitioners
Vs
State of Maharashtra and Others. .. Respondents
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Shri S.A. Jabbar for the Petitioners.
Mrs. M.H. Mhatre, APP for the Respondent No.1.
Ms. Rebecca Gonsalves for the Respondent Nos.2 and 3.
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CORAM : A.S. OKA & A.A.SAYED, JJ
DATED : 7TH JULY 2016

PC.

1. By the order dated 30th June 2016, this Court made it very clear that the prayer Clause (c) cannot be entertained in this PIL and only prayer Clause (b) will survive. As far as the prayer Clause (b) is concerned, the learned counsel appearing for the High Court Administration has tendered across the bar a Circular dated 5th July 2016 issued by the learned Chief Metropolitan Magistrate, Esplanade, Mumbai. The same is taken on record and marked “X1” for identification. The Circular provides that if an Application is made for supply of a copy of the copy of a First Information Report (FIR) which is filed on record in the Court at Metropolitan Magistrate at Mumbai, a

copy of the FIR will be issued by endorsing on the said copy “True copy of the copy on record” duly signed by the Judicial Clerk with the seal of the Court. The Circular clarifies that the same is applicable only in respect of the copy of FIR. It is obvious that in view of the said Circular dated 5th July 2016, the earlier Circulars dated 9th October 2014, 4th September 2015 and 15th February 2016 stand superseded only in respect of the Applications made for grant of copies of the FIR and, therefore, the grievance in terms of the prayer Clause (b) does not survive. The concerned Courts are bound by the Circular dated 5th July 2016. Accordingly, in terms of this order and the order dated 30th June 2016, this PIL stands disposed of.

2. Criminal Application Nos.8 of 2015 and 16 of 2015 do not survive and the same are disposed of.

(A.A. SAYED, J)

(A.S. OKA, J)