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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
CRIMINAL WRIT PETITION NO. 747 OF 2016

Mr. Anwar Hussein Shamshuddin .. Petitioner

Vs.

The State of Maharashtra and ors. .. Respondents

WITH
CRIMINAL WRIT PETITION NO. 424 OF 2016

Mrs. Alina Sameer Shaikh and anr. .. Petitioners

Vs.

The State of Maharashtra and ors. .. Respondents

Dr. R. A. Thorat, Senior Counsel i/by Mr. Samir A. Vaidya for petitioners.

Mr. K. V. Saste, APP for State.

Mr. Niranjana Mundargi i/by Mr. Omkar P. Mulekar for respondent no.10 in
Cri. W.P. No. 424 of 2016.

CORAM: NARESH H. PATIL &
PRAKASH D. NAIK, JJ.

JULY 12, 2016.

P.C.

1. On 7th March, 2016, we passed following order :-

“ In the facts of the case, we find that Investigating
Agency ought to have completed the investigation by this
time. It is unfortunate that the investigation is not completed

so far. We direct the Investigating Officer to complete the investigation within three weeks.

Stand over for three weeks i.e. 28/3/2016.

Ad-interim order granted earlier in Cri.W.P. No.424 of 2016 to continue till then.”

2. We are informed by the learned APP that so far the final report has not been submitted.

3. Learned Senior Counsel Mr. Thorat submits that the police is unnecessarily harassing Shaikh Zarina Anwar Hussein Shaikh Shamsuddin. The learned APP disputes the statement. Learned Senior Counsel further submits that it is merely a civil dispute and no criminal case could be registered or investigated.

4. Learned APP, on instructions from PI Rajendra Zele, Nehrunagar Police Station, Mumbai, submits that within four weeks the final report would be submitted.

5. We direct the DCP, Zone - 6, Mumbai to call for the papers in this case and issue appropriate instructions before submitting the final

report. The reasons for delay in filing of the final report shall also be looked into by the DCP.

6. It is clarified that we have not expressed any opinion in respect of the allegations made in the complaint. In case the final report goes adverse to the petitioners' interest, they are at liberty to resort to appropriate remedy.

7. Ad-interim relief granted on 10/2/2016 in Criminal Writ Petition No. 424 of 2016 to continue till the filing of the final report.

8. Keeping issues raised in the petitions open, both the petitions are disposed of accordingly.

9. Registrar (Judicial-I) to forward a copy of this order to DCP, Zone -6, Mumbai.

(PRAKASH D. NAIK, J.)

(NARESH H. PATIL, J.)