

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
APPELLATE JURISDICTION**

CRIMINAL WRIT PETITION NO. 1110 OF 2014

Shri Bhiva Maruti Hajare ... Petitioner

V/s.

The State of Maharashtra & ors. ... Respondents

Mr. Datta Mane for the petitioner.
Mr. J.P. Yagnik, APP for the State.

**CORAM : NARESH H. PATIL AND
PRAKASH D. NAIK, JJ.**

2nd September, 2016.

P.C.

The petitioner lodged a complaint that his son was killed by accused persons. FIR came to be registered on 22nd March, 2012 with Sangola Police Station, Solapur. It is very disturbing to note that investigation is still kept pending since the registration of FIR. This petition was filed in the year 2014. By an order dated 31st August, 2016 we had directed the investigation officer to remain present with record. Consequent to the same the record is produced before us. The learned APP submits that the investigating officer Mr. Naik has retired. We have

perused the investigation papers. We find that practically the investigation was complete long back. We have perused the postmortem report wherein it was endorsed by the medical officer that opinion in respect of cause of death was reserved. Learned APP has brought to our notice a communication made by medical officer on 2nd March, 2012 addressed to the Police Inspector stating therein that the deceased might have died due to neuromuscular injury and limb injury.

2. Counsel appearing for the petitioner filed additional affidavit. It is submitted that accused persons are threatening and pressurizing the petitioner to withdraw the petition. It is stated that petitioner is a poor person. He is not aware of the intricacies of the legal proceedings to be prosecuted to protect his rights.

3. Learned APP on instructions of officer present in Court D.T. Karche, Assistant Police Inspector, Sangola Police Station submits that within one week they will file final report in the trial Court.

4. We direct the Superintendent of Police, Solapur to enquire into the reasons of delay in investigation of this case and to fix responsibility for the delay. We further direct Superintendent of Police to give appropriate

instructions to the police station Incharge in Solapur district and to collect information from the police station coming under the jurisdiction of Solapur district as to how many such serious cases are pending investigation for more than one year. Appropriate instructions in such cases be issued expeditiously to complete the investigation. The report of enquiry conducted and data collected shall be forwarded to IG, Kolhapur.

5. We direct IG to look into such report and issue necessary instructions. Compliance report be submitted to this Court on the next date by the Superintendent of Police, Solapur

6. We direct the Superintendent of Police to review the threat perception of the petitioner and take necessary steps.

7. In view of the statement made by learned APP, petition stands disposed of.

8. All concerned to act on an authenticated copy of the order.

9. Compliance report be submitted in this Court. Stand over for four

weeks for 'directions'.

10. Learned APP to communicate the order to the concerned authorities.

(PRAKASH D. NAIK, J.)

(NARESH H. PATIL, J.)

L.S. Panjwani, P.S.