

On the complaint of petitioner in Gaon Devi Police Station, police registered FIR No.57/2016 on 4th March, 2016 for the offences punishable under Section 448, 452, 454, 420, 120B, r/w. 34 of IPC. It is the grievance of the petitioner that the police had not arrested the accused person so far. Investigation is not progressing further. Learned Counsel appearing for the petitioner submits that petitioner was residing in two

room tenement which are part of Co-operative Housing Society area until the area admittedly had gone under redevelopment. The subject constructions were demolished. Developer- respondent no.5 constructed a new building. The grievance of the petitioner is that he was forcibly evicted from two rooms which were occupied by respondents 1 to 4. The petitioner wants the possession back and prays for suitable action against the accused persons who are named in the FIR.

2. We have heard learned Counsel appearing for respondent no.5 and learned Counsel appearing for respondent no.4 Society.

3. Learned APP submits that some of the accused have approached the High Court wherein ad-interim anticipatory bail is granted. The next date is 20th June, 2016. The investigation officer is present in Court.

4. Even in absence of arrest, we do not find that police is handicapped to investigate the alleged offences.

5. Learned Counsel appearing for the petitioner submits that petitioner is contemplating to approach appropriate civil forum so also initiate criminal proceedings.

6. Learned APP on instructions submits that the Investigation officer would look into the matter and interrogate the persons concerned for reaching appropriate conclusion at the earliest on its own merits.

7. Keeping all issues on merits open, petition is disposed of.

(P.D. NAIK, J.)

(NARESH H. PATIL, J.)

L.S. Panjwani, P.S.