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IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

WRIT PETITION NO.1173 OF 2016

Arshad Ahmed Siddique

..Petitioner.

V/s.

State of Maharashtra

..Respondent.

Mr. Ashok Mundargi, Senior Advocate with Mf. A.S. Khandeparkar
i/b. Lokesh D. Zade for the petitioner.

Mr.J.P. Yagnik, APP for respondent-State.

**CORAM : NARESH H.PATIL AND
A.M.BADAR, JJ.**

DATED : 6TH APRIL, 2016

P.C. :-

1. F.I.R. came to be registered on 31st March, 2015 for offence punishable under section 143, 147, 149, 323, 504 and 506 of the Indian Penal Code and under section 3(1) and (10) of the Scheduled Castes and Schedule Tribes (Prevention of Atrocities) Act, 1989. It is surprising to note that for a period of nearly one year, final report has not been filed by the investigating agency.

2. We have perused the original file maintained by the investigating agency. The statement of persons are recorded

in the month of April, 2015. Some revenue record was also collected. It seems that investigation is practically completed in April, 2015. For what purpose the final report has not been filed, is known only to the prosecution.

3. We direct the Superintendent of Police, Thane (Rural) to look into the matter and call for the report from the concerned senior police inspector as to why final report was not filed. The Superintendent of Police (Rural), Thane shall also call for report from other police stations in Thane District wherein such cases are pending investigation for more than three months. The Superintendent of Police (Rural), Thane shall issue directions to complete the investigation promptly and to file appropriate report in such pending cases.

4. We direct the investigating officer of this case to submit a final report within eight days from today.

5. In the peculiar facts and circumstances of this case and in view of the record placed before us, we direct that no coercive action be taken against the petitioner.

6. The petition is disposed of accordingly. All contentions on merits are kept open.

7. Registry to forward a copy of this order to the Superintendent of Police (Rural), Thane by fastest mode of communication.

8. A copy of this order be forwarded to the Secretary, Minister of State (Home Department), Mantralaya, Mumbai.

(A.M.BADAR, J.)

(NARESH H.PATIL, J.)