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IN THE HIGH COURT OF JUDICATURE AT BOMBAY**CRIMINAL APPELLATE JURISDICTION****CRIMINAL WRIT PETITION NO. 1259 OF 2016**

Subodh Kumar Singh ... Petitioner

Versus

Union of India and Ors. ... Respondents

Mr. Subodh Kumar Singh in person present.

Mr.J.P. Yagnik, APP for the State.

Mr. S.R. Shinde, for respondent nos. 1, 3 and 4 Union of India.

Wg. Cdr. S.B.Singh (Mumbai) Present.

Wg. Cdr. Yogesh Sharma (AF Stn Pune) present.

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

DATED : APRIL 01, 2016.

P.C.

1. Party in person states that his brother R.K. Singh is employed with Indian Air Force. This petition was filed on 23/03/2016 and on urgent motion it was listed for hearing on 23rd March, 2016. The petitioner was heard and notices were issued making it returnable on 1st April, 2016. Accordingly the matter was taken upon priority basis today. Learned counsel for the State and the Air Force are present.

2. Petitioner in person submits that his brother is being tortured and not provided with sufficient food and water. His health is in bad condition and family apprehends that his brother would suffer serious consequences while in the custody of the Air Force.

3. Learned counsel for the Air Force on instructions from the officers from the Air Force has placed on record certain documents for our perusal. From the record of the visitors, it is seen that the wife of R.K. Singh met him on 18th March, 19th March, and 20th March, 2016. The counsel on instructions submits that the brother of the petitioner was examined medically and was found fit by the medical officer. The counsel submits that after necessary inquiry, Air Force administration has decided to conduct court martial of the detainee. Learned counsel submits that the proper procedure envisaged in the Air Force Act, 1950 and rules framed thereunder will be followed including providing legal aid. Learned counsel submits that the allegations made by the petitioner are baseless and there is no material to accept those allegations.

4. We have perused the record and considered the submissions. In view of the submissions advanced and the documents placed, we are not inclined

to interfere into the matter. We have also seen the report of the MRI of LS Spine of Mr. R.K. Singh prepared on 17th January, 2015 by Consultant Radiologist. The report shows that the screening images through the cervico-dorsal spine do not reveal any significant abnormality.

5. We expect and hope that Mr. R.K.Singh will be provided with admissible basic necessities. With these observations, petition is disposed of.

(A.M. BADAR, J.)

(NARESH H. PATIL,J.)