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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
CRIMINAL WRIT PETITION NO. 1892 OF 2016

Shaikh Nazir Jamil Ahmed

.. Petitioner

Vs.

State of Maharashtra and ors.

.. Respodents

Mr. Narendra Dubey for petitioner.

Mrs. M. M. Deshmukh, APP for State.

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

JULY 05, 2016.

P.C.

1. Mr. Prashant Marotrao Kathane, Police Inspector, who was Investigating Officer at the relevant time has filed affidavit-in-reply and tendered his unconditional apology. The deponent stated in the said affidavit-in-reply that as directed by the Sr. P.I. he had put up the file for signature of Sr. P.I. He informed the ACP of the D.N.Nagar Division about the order of the High Court. Thereafter, he put up "A" Summary report before the ACP. ACP remarked as "Have discussion" on 3/6/2016. The deponent further submits as under :

“ I say that the record of Amboli Police Station shows that the report put up by me regarding “A” summary in above said MECR was signed by then Sr. P.I. Shri Khadatare on 19/5/2016, but thereafter due to some reason, he erased the signature. Thereafter Shri Khadatare transferred on 10/6/2016 to Protection & Security Branch, Mumbai City, Mumbai.”

2. Today, Mr. Ramesh Sitaram Khadatare, Sr. P.I., filed affidavit, who stated that he had gone through the order of the High Court dated 20/4/2016. P.I. Kathane submitted his final report for grant of “A” Summary, but due to festival events and other engagement between period from 20/5/2016 and 8/6/2016 and bandobast, law and order arrangements, he could not devote time and complete the task of reading entire investigation papers. He was transferred on 9/6/2016 from Amboli Police Station to Protection and Security Branch, Mumbai. The deponent tendered an unconditional apology. We accept the apology. We expect the concerned officers to implement the court orders promptly in future.

3. As “A” summary has already been filed on 1/7/2016, petition stands disposed of.

(PRAKASH D. NAIK, J.)

(NARESH H. PATIL, J.)