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***IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
PUBLIC INTEREST LITIGATION No. 1 OF 2016***

Concious Citizen Forum

....Petitioner

Vs.

Union of India and Ors.

....Respondents

Mr. Satish Mishra for Petitioner

Ms. Purnima H. Kantharia, APP for Respondent Nos. 1,2 and 3 (Union of India)

***CORAM : V. M. KANADE &
M.S. SONAK, JJ.***

DATE : JULY 18, 2016

P.C. :

1. By this petition, which is filed under Article 226 of the Constitution of India, the Petitioner is seeking the following reliefs:

“(a) That this Hon'ble Court be please to pass appropriate writ, order and direction, directing the Respondent No.2 to form human protection cell in State of Maharashtra on such terms and conditions as this Hon'ble Court may deem fit and proper.

(b) That this Hon'ble Court be please to pass appropriate writ, order, direction by way of framing guideline to Ld. Magistrate on which Police remand application shall be granted, on such terms and

condition as this Hon'ble Court may deem fit and proper.

(c) That this Hon'ble Court be please to pass appropriate writ, order, direction by way of framing a guidelines that the investigation agency (police) shall not violate the fundamental rights of human being granted by the constitution of India at the time of arrest on such terms and condition may deem fit and proper.

(d) That this Hon'ble Court be please to pass appropriate writ, order, direction by way of appointing CBI, to conduct investigation in respect of F.I.R. No. I- 42/2015 registered by the office of Kalamboli Police Station and also all such kind of cases registered by the Police Officer in State of Maharashtra on such terms and conditions as this Hon'ble Court may deem fit and proper.

(e) Interim and ad-interim reliefs in terms of prayer clause a), b) and c) as above;

(f) For such other and further reliefs of this Hon'ble Court may deem fit and proper.”

2. So far as the prayer clause (a) is concerned, the learned APP for the State -Respondent Nos.1,2 and 3 submits that as Human Rights Commission is in existence and it can give direction for the purpose of framing the

rights of accused and victims. So far as other prayers are concerned, we are afraid that we are not in a position to give such directions to the Respondents as prayed by the Petitioner in prayer clauses (b), (c) and (d) while exercising our writ jurisdiction under Article 226 of the Constitution of India. Reserving the right of the Petitioner to approach before the appropriate forum in the event of violation of human rights, the writ petition is disposed of.

M.S. SONAK, J.

V.M. KANADpE, J.