

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
WRIT PETITION NO. 4587 OF 2015

Fazlu-Ur-Reshman

..Petitioner

Versus

The State of Maharashtra and anr.

..Respondents

Mr. Yousuf Khan, advocate for the petitioner.

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

**CORAM : RANJIT MORE &
V. L. ACHLIYA, JJ.**

DATE : 15th FEBRUARY, 2016.

P. C. :

The petition is filed for following relief :

"A] That this Hon'ble Court be pleased to issue Writ of Mandamus and or any other appropriate Writ, Order exercising powers under Article 226 of Constitution of India, 1950 r/w Section 482 of the Code of Criminal Procedure, 1973 inter-alia directing the Anti Extortion Cell at Mumbai Crime Branch to forthwith proceed for taking Police remand of this petitioner from the Judicial Custody granted by JMFC at Sabarmati Magistrate Court and for completion of investigation in above FIR bearing C.R.No.21/2004 registered by the Anti Extortion Cell with filing of police report in a reasonable time bound manner."

2. Mr. Yagnik, learned APP having taken instructions from the officer concerned – Mr.Bangar-PSI, who is present before the Court, makes a statement that as of today to the best knowledge of the officer concerned, there are two cases pending against the petitioner viz. CC No.451/PW/04 pending in the Court of Additional Metropolitan Magistrate, 37th Court at Esplanade Mumbai, arising out of C.R.No.21/04 registered by DCP (CID) under the provisions of Sections 387 read with Section 34 of the Indian Penal Code, 1860 and MCOC Case No.9 of 2006 arising out of C.R. No. 5 of 2006 registered with Anti-Extortion Cell, Mumbai. Mr. Yagnik, learned APP, makes a further statement that already the Special Court under the MCOC Act as taken steps to produce the petitioner and request to that effect is already made to Sabarmati Jail, where the petitioner is lodged and the next date of the said case is on 1st March, 2016. He also makes a statement that once the petitioner is produced in MCOC case, steps would be taken to secure his presence in C.R. No.21/04. The statement is accepted.

3. In the light of the above statement, learned counsel for the petitioner stated that the grievance of the petitioner no more survives. The petition, accordingly, stands disposed of.

[V. L. ACHLIYA, J.]

[RANJIT MORE, J.]