

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH, NAGPUR.

CRIMINAL WRIT PETITION No. 46/2016.

Shri Jaypal Pundlik Wanwe

-VERSUS-

The State of Maharashtra and others.

CRIMINAL APPLICATION No. 104/2016.

Shri Jaypal Pundlik Wanwe

-VERSUS-

The Police Station Officer and others..

Office notes, Office Memoranda of
Coram, appearances, Court's orders
or directions and Registrar's orders.

Court's or Judge's Orders

CORAM : B. P. DHARMADHIKARI
& A.S. CHANDURKAR, JJ.

DATE : OCTOBER 13, 2016.

Heard Shri R.R. Vyas, learned Counsel for the applicant/petitioner, Shri V.A. Thakare, learned A.P.P. for respondent – State and Shri S. Borkar, learned Counsel for respondent/non-applicant Kamlesh Sontakke and Shri R.G. Bagul, learned Counsel (appointed) for Ganesh Ramchandra Torne – respondent no.2 in Criminal Application No. 104/2016, in furtherance of order dated 27.09.2016.

2. Learned A.P.P. with assistance from the

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Officer in-charge of Police Station has stated that in station diary every day numbering starts from Sr.No.1 and therefore, same number may be used on 365 days in a year. He states that the position has been verified and thereafter he is making a statement.

3. Learned counsel for the petitioner states that records are not maintained as per Section 172 of Criminal Procedure Code.

4. We do not wish to go into any controversy at this stage. Correctness or otherwise of the records or then impact of Section 172, upon it, is a disputed question which can be looked into by the learned trial Court at appropriate juncture.

5. Learned A.P.P. submits that the investigation in both the matters is nearly complete and within a period of two weeks the same may be completed.

6. No interim orders are operating in the matters.

7. In this situation, we grant time of four weeks to complete the investigation and to furnish/file necessary charge-sheet/report in accordance with law to the competent Court on a date with previous

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intimation thereof to the private parties in these matters.

8. Leaving all rival contentions open and with liberty to parties to press the same into service before the trial Court at appropriate juncture, we dispose of both the matters.

9. Sealed records of police station retained by this Court shall be returned to the respondent no.2 Police Station Officer, Police Station, Lakhni, District Bhandara in Criminal Writ Petition No. 46/2016.

10. Fees for the appointed counsel for respondent no.2 in Criminal Application No. 104/2016 is quantified at Rs. 1500/-.

JUDGE

JUDGE

Rgd.

CERTIFICATE

I certify that this judgment/order uploaded is a true and correct copy of original signed judgment/order.

Uploaded by : R.G. Dhuriya. Uploaded on : 14.10.2016
Pvt. Sec.