

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

CRIMINAL WRIT PETITION NO.989 OF 2015

Mrs. Kirtika W/o Rahul Surana

..VS..

State of Maharashtra, thr. P.S.O., M.I.D.C. P.S., Nagpur and ors

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

Court's or Judge's Order

Ms Payal Lunawat, counsel for the petitioner.
Shri Ramteke, counsel for R-3.
Mrs.K.S. Joshi, Addl.P.P. for R-1 & 2.

**CORAM : B.P. DHARMADHIKARI &
S.B. SHUKRE, JJ.**

DATED : NOVEMBER 17, 2016.

Heard learned counsel Ms Payal Lunawat for the petitioner, learned counsel Shri Ramteke for respondent No.3, and learned Additional Public Prosecutor Mrs.K. S. Joshi for respondent Nos.1 and 2.

In furtherance of orders of this Court dated 7.9.2016 and 7.10.2016, the Commissioner of Police, Nagpur (respondent No.2) has filed an affidavit. The affidavit in turn accepts defects in investigation carried out by respondent No.3.

Respondent Nos.1 and 2 have already filed affidavit. Respondent No.3 was served before 20.2.2016, but did not file any reply till date.

Today, learned counsel Shri Ramteke for

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respondent No.3 is seeking time to place on record affidavit. He submits that he has been instructed today only to appear.

In the light of facts disclosed in affidavit of the Commissioner of Police, Nagpur (respondent No.2), we direct that the investigation into the matter shall be entrusted to the State Criminal Investigation Department immediately.

The State Criminal Investigation Department shall attempt to complete investigation at the earliest and, thereafter, take appropriate steps in relation to proceedings which are already pending before the Trial Court.

Respondent Nos.1 and 2 are free to proceed against respondent No.3 administratively if they find it necessary.

The criminal writ petition is, thus, partly allowed and disposed of. No costs.

JUDGE

JUDGE

!! BRW !!

C E R T I F I C A T E

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

Uploaded by : Bhushan R.Wankhede.
(Personal Assistant)

Uploaded on :- 17/11/2016

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