

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
WRIT PETITION NO. 479 OF 2017

Shakir Hussain S/o. Hashim Hussain ..Petitioner
Versus
The State of Maharashtra and ors. ..Respondents

Mrs. Anjali Awasti along with Mr. Tanveer Nizam i/b. Husain Ashif Hasim,
advocate for the petitioner.
Ms. S. D. Shinde, APP for the State.

CORAM : RANJIT MORE,
A. M. BADAR, J J.

DATE : 9th MARCH, 2017.

P. C. :

Heard learned counsel for the petitioner and learned APP
for the State.

2. The grievance raised in the petition is about non-registration of offence in pursuance of the petitioner's complaint dated 25th December, 2016. The petitioner has alleged that he has been assaulted by the police personnel outside BKC Police Station. The learned counsel for the petitioner stated that the entire incident has been recorded on the cell phone and the CD of the video recording is filed along with the complaint.

3. Learned APP, having taken instructions, on the contrary, submits that the Senior Police Inspector, BKC Police Station has verified

the CCTV footage installed in the said Police Station as well and the CD submitted by the petitioner and stated that nothing as alleged by the petitioner has occurred.

4. In the above circumstances, especially since the allegations are made against the police personnel, we direct the DCP, Zone VIII, to enquire into the said allegations made by the petitioner against the police personnel. For the purpose of enquiry, the DCP, Zone VIII, shall treat this petition as the petitioner's representative. The DCP shall give an opportunity of hearing to the petitioner and permit him to place on record any additional material.

5. The petitioner shall remain present before the DCP, Zone VIII on 14th March, 2017 at 11.00 a.m.. Learned DCP shall complete the enquiry as expeditiously as possible and preferably within a period of six weeks from the date the petitioner remaining present before him and take appropriate action, if necessary.

6. In the light of the above order, the petition stands disposed of.

(A. M. BADAR, J.)

(RANJIT MORE, J.)