

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY  
CRIMINAL APPELLATE JURISDICTION**

**WRIT PETITION NO.2595 OF 2017**

**Atahur Rahmen Mohd. Hasim Ansari : Petitioner.**  
**Versus**  
**State of Maharashtra and ors. : Respondents.**

**Mr. Uday P Warunjikar for the Petitioner.**  
**Mrs. M M Deshmukh, Addl. PP for the Respondent/State.**

**CORAM : R. M. SAVANT &  
SANDEEP K. SHINDE, JJ.**  
**DATE : 13<sup>th</sup> September 2017**

**P.C.**

1           The substantive relief sought by way of the above Writ Petition is directing the Respondent to lodge FIR in respect of the offence dated 28/03/2017 and for a direction to the State CID to investigate into the present case.

2           The said letter dated 29/03/2017 vividly describes the incident which has taken place on 28/03/2017. It seems that the Petitioner was also referred to the hospital by police which material is also on record. However, the Petitioner has received a communication dated 02/08/2017 wherein it has been stated that since the Petitioner has not visited the police station for facilitating recording of his statement, it seems that the Petitioner is not interested in pursuing the matter.

3           In our view, it would be just and proper to direct the Respondent No.2 herein i.e. the Senior Inspector of Police, City Police Station, Bhiwandi to look into the complaint of the Petitioner dated 28/03/217 and take appropriate decision thereon within two weeks from date. This would be without being influenced by the said communication dated 02/08/2017 addressed by the Respondent No.2 to the Petitioner. The outcome of the said inquiry to be communicated to the Petitioner. It would be contingent upon the said communication that the Petitioner can decide the future course of action. The Petitioner would remain present before the Senior Police Inspector, City Police Station, Bhiwandi on 18/09/2017 at 11.00 am and on such subsequent days if required by the Senior Police Inspector. In so far as other reliefs are concerned, the said reliefs are kept open for being claimed at the appropriate time. The photocopy of the letter dated 02/08/2017 is taken on record. With the aforesaid directions, the above Writ Petition is disposed of.

**[SANDEEP K. SHINDE, J]**

**[R.M.SAVANT, J]**