

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE SIDE JURISDICTION
CRIMINAL APPLICATION NO. 1028 OF 2016

Ramdas Daadu Poojari

... Applicant

Vs.

The State of Maharashtra

... Respondent

Mr. Mukesh J. Pabari Advocate for Applicant
Mr. S. R. Agarkar APP for the State.

CORAM: SMT.SADHANA S.JADHAV, J.

DATED : 19th APRIL, 2017.

P.C.

1) Heard.

2) Applicant herein happens to be original complainant in C.C. No. 706 of 2002 pending before 34th Court at Vikhroli. Applicant is of the opinion that investigating agency has filed the charge-sheet but is not arresting the accused. Applicant herein had filed an application below Exhibit 21 seeking direction to Nehru Nagar Police Station to arrest the absconding accused and issue arrest warrant against the absconding accused. The learned Magistrate

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has observed that charge-sheet is filed against the absconding accused under section 299 of Code of Criminal Procedure, 1973. Police had filed report that they are searching the absconding accused despite that complainant was insisting upon issuing arrest warrant. It appears that applicant is interfering with the duties of the investigating agency and therefore, the learned Metropolitan Magistrate had rejected the application vide order dated 03/08/2016.

3) It is expected from the investigating agency to put in best of efforts to arrest the absconding accused and take the progress to its logical end. Hence, no case for interference is made out.

4) Application, being sans merits, stands rejected.

(SMT. SADHANA S. JADHAV, J.)