

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

CRIMINAL APPLICATION NO.1112 OF 2013

Mr. Akbar Ali S/o. Hussain Ali
Siddiqui & Ors.

...Applicants

Versus

The State of Maharashtra and Ors.

...Respondents

.....

Ms Saroj Jadhav i/b. Mrs. Mallika Ajay Ingale for the
Applicants.

Mr. Ghulam Rasool Khan for the Respondent No.2.

Dr. F.R. Shaikh, APP for the Respondent No.1.

Mr. Bharat Bhoite, Sr. P. I., V.B. Nagar Police Station, present.

CORAM : A.S. OKA &

SMT. ANUJA PRABHUDESSAI, JJ.

DATED: 15th MARCH, 2017.

P.C.:-

Perused the report dated 9th March, 2017 submitted to this Court by Mr. Paramjit Singh Dahiya, Deputy Commissioner of Police, Zone V, Mumbai. The report records that there was non compliance of the directions issued by this Court on the part of the Investigating Officer. However, he has recorded a conclusion that non compliance was not intentional and there was no intention to disobey the orders of this Court. He has assured that no such act shall be repeated by the officers of the police.

2. We accept the report which records a conclusion that the default is not at all intentional. We make it clear that no further action is called for against the concerned Officer. The learned APP on instructions, states that on investigation, no material is found against the Applicants in this Application and therefore, the Investigating Officer will not file the charge sheet against the Applicants. We accept the said statement. In view of this statement, it is not necessary to entertain this Application for quashing the First Information Report at the instance of the Applicants. Accordingly, the Application is disposed of.

(ANUJA PRABHUDESSAI, J.)

(A.S. OKA, J.)