

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH : NAGPUR.

Criminal Writ Petition No.71 of 2017

(Nihalsingh B, Rathod .vs. The Commissioner of Police, Nagpur)
with

Criminal Writ Petition No.65 of 2017

(Gilu Ram Gota .vs. The Superintendent of Police, Gadchiroli and Ors.)

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

Court's or Judge's orders.

Criminal W.P. No.71 of 2017

Mrs.Gayatri Singh, Senior Advocate with Mr.Gadling,
Advocate for the Petitioner.
Mr.S.M.Ukey, A.P.P. for Respondent/State.

Criminal W.P. No.65 of 2017

Mrs.Gayatri Singh, Senior Advocate for the Petitioner
with Mr.N.B.Rathod, Advocate for the Petitioner.
Mr.S.M.Ukey, A.P.P. for Respondents/State.

CORAM : B.R.GAVAI AND
KUM. INDIRA JAIN, JJ.

DATE : 30.1.2017.

Heard.

In pursuance to the orders passed
by this Court dt.29.1.2017, Ms Pandari Mura
Gota and Mrs.Luli Birju Timma have been
again produced before this Court today.

Mrs.Gayatri Singh, learned Senior
Counsel for the petitioners in both the
petitions had expressed an apprehension that
the aforesaid two women are under
tremendous pressure of Police and therefore,
they will not speak the truth.

We have, therefore, taken the

matters in the Chamber. The two women namely Ms Pandari Mura Gota and Mrs.Luli Birju Timma do not understand either Marathi language or Hindi language and therefore, we have interacted with them through Mr.Gilu Ram Gota - the petitioner in Criminal Writ Petition No.65 of 2017, who is real brother of victim Ms Pandari Gota and through Suresh Linga Gota, who claims to be the uncle of victim Ms Pandari Gota

In pursuance to the orders passed by this Court, the two women were kept in Priyadarshini Mahila Vasatigruha. Mrs.Meera Kishor Yelne, Probationary Officer of the said Vasatigruha is also present in the Court along with the said two women. We had also asked the said Probationary Officer as to whether the aforesaid two women were under her observation and as to whether she has noticed that the aforesaid two women were under pressure of the Police or any one else.

The Probationary Officer informed us that she has been observing the two women from Yesterday and she did not find that the aforesaid two women were under pressure of any one. Our observations of their facial expressions also does not show that they are speaking under coercion or threat.

To a pertinent query made with the two women as to whether the allegations made in the petitions that they were

physically molested by Police persons is correct or not, both the women emphatically denied any such act on the part of the Police. On the contrary, they state that they were compelled by Mrs.Sheela Gota i.e. Sarpanch of Gatta (Jambia), Tq. Etapalli, Distt. Gadchiroli to inform the petitioner in Writ Petition No.71 of 2017 about the incident which never took place.

We have made a specific query with the aforesaid women as to what they desire to do. They have informed us that they would like to go back to their village Jonawara, District Kanker, Chattisgarh along with their brother and uncle.

In that view of the matter, we find that the purpose of the present petitions is served inasmuch as both of them are produced before this Court. Hence, both the Writ Petitions are disposed of.

Both the women namely Ms Pandari Mura Gota and Mrs.Luli Birju Timma are permitted to go along with their brother and uncle.

No order as to costs.

JUDGE

JUDGE