

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

CRIMINAL APPLICATION (APL) NO. 580 OF 2015

(Aditya s/o Madhukar Pawar vs. The State of Maharashtra, thr. PSO, PS Khadan, Akola & Anr.)

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

Court's or Judge's orders.

**CORAM : B.P. DHARMADHIKARI &
V.M. DESHPANDE, JJ.
APRIL 21, 2017.**

Heard Shri Anil S. Mardikar, learned Senior Advocate with Shri N.R. Tekade, learned counsel for the applicant, Shri V.A. Thakare, learned APP for non-applicant No. 1 and Shri O.Y. Kashid, learned counsel for non-applicant No. 2.

2. Perused the reply. The events which may have transpired on 24.03.2015 till 30.03.2015 are obviously disputed. This Court, therefore, on 26.10.2016 passed an order and directed the Investigating Officer to point out the investigation in relation to those events. That order has not been complied with till now. However, non compliance by the Investigating Officer cannot inure to the benefit of present applicant or to the prejudice of non-applicant No. 2 – complainant at this stage.

3. The reply affidavit mentions that investigation is already over. The applicant was protected by interim orders.

4. We, therefore, permit non-applicant No. 1 to file charge sheet and submit report to the Competent Authority in accordance with law.

5. With liberty to the applicant to take such other steps as are open in law, we dispose of the present Criminal Application. No order as to costs.

JUDGE

JUDGE

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