

Similarly, the victims are also more and there is nothing to show that all victims have given consent. Respondent No.1 has only given his consent and filed affidavit accordingly before this Court.

4. Offences are u/s 143, 147, 148, 149, 365, 323, 506 of Indian Penal Code and section 3 r/w 25 of Indian Arms Act. It appears that the Investigating Officer did not have necessary papers or then papers were misplaced. On 28/09/2016 he submitted a report to Police Inspector at Sangli and its copy is on record. It shows that charge-sheet was sent to J.M.F.C. on 04/04/2006 and one copy was sent to office of Assistant Public Prosecutor, Islampur. It appears that these papers are not traceable.
5. On 04/07/2016 Registrar of District Court, Sangli, has mentioned that charge-sheet in furtherance of Crime No.11/05 at Ashta Police Station, is not filed in District Court, Sangli. Similarly, on 14/06/2016 Police Inspector of Ashta Police Station has also informed that charge-sheet is not seen in police station.

6. It is in this background that communication dated 28/09/2016 becomes important. It appears that the Assistant Police Sub-Inspector, Tasgaon Police Station has recovered some documents i.e. photocopies.
7. Considering the fact that all accused persons and all victims are not before this Court, prayers as made cannot be granted.
8. Though, Petition has been presented only on the ground of consent, during arguments learned Counsel also relied upon Article 21 and violation of right of Petitioners as they are entitled to speedy trial. This grievance was not made for about 10 years. The perusal of the FIR shows a tussle between two political rival groups. The loss of record or non-availability thereof may also therefore be an outcome of that political dispute. In his report dated 28/09/2016 Assistant Police Sub-Inspector has shown the accused persons as absconding and refers to a communication dated 15/11/2006 in that respect.

Identical letter is also written on 21/12/2006. Admittedly present Petitioners have not been arrested by police in relation in said crime.

9. In this situation, we find that interest of justice can be met with, by directing Respondent No.1 to expedite the process and to complete the investigation in furtherance of FIR and Crime No.11/05 within next three months and to submit necessary report to the competent Court immediately thereafter.

10. With these observations and keeping all contentions raised by learned Counsel for the Petitioner open, we dispose of the Petition.

11. At this stage, learned Counsel for the Petitioner, submits that out of total number of accused, four accused were arrested and one of them is Applicant No.6 before this Court.

(SARANG V. KOTWAL, J.)

(B. P. DHARMADHIKARI, J.)