

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL WRIT PETITION NO.614 OF 2018

Sadanand Vitthal Mate.	]	... Petitioner
Versus		
The Police Inspector, CBD Belapur	]	
Police Station, Navi Mumbai & Ors.	]	... Respondents

Mr. Pankay Pandey i/b Mr. Nikhil Mallelwar for Petitioner.

Mrs. A. S. Pail, Addl.P.P. for State.

Mr. Brijesh P. Shinde, PI attached to State CID, Konkan Bhavan, CBD Belapur, present.

**CORAM :- R. M. SAVANT &
SARANG V. KOTWAL, JJ.**

DATE :- 15 MARCH, 2018

P. C. :-

1. The above Petition has been filed, *inter alia*, for the following reliefs i.e. for a direction that the two mobile phones (Samsung and Oppo model with Airtel Sim No.9967405026 and Jio Sim No.7972884559 respectively) and wallet which included Aadhar card, Pan card, two ATM cards of Bank of Maharashtra and Bank of India, office ID, driving license and other documents be handed over to the Petitioner, to register the FIR against the accused Police Officers of CID, CBD Belapur, Konkan Bhavan, Navi Mumbai for illegal detention and physical assault committed by the accused officers on the Petitioner, for a direction to initiate enquiry and further to take

steps to initiate disciplinary action against the accused Police Officers and lastly for a direction to direct the Respondent Nos.2 to 4 to provide Rs.5,00,000/- to the Petitioner towards compensation for the physical and mental harassment caused by the illegal acts of the above accused Police Officers. The rest of the prayers up to prayer clause (g) are all interim prayers flowing out of the same prayers which have been adverted to hereinabove.

2. The learned Addl.P.P. Mrs. Pai, on instructions, states that vide letter dated 20/02/2018 addressed by the Assistant Investigating Officer of CID, CBD Belapur, the Petitioner was informed to collect the mobile phones and his articles from the said Police Officer. However, the Petitioner has not acted pursuant to the said letter dated 20/02/2018. Upon this, the learned Counsel for the Petitioner submitted that though the said letter was received by the Petitioner, it is out of his apprehension that the Petitioner would not be properly treated, that he has not gone and collected the said articles. However, he states that the Petitioner would visit the office of the State CID, CBD Belapur tomorrow at 11.00 a.m. and collect the said articles from Mr. Brijesh P. Shinde, PI attached to State CID, Konkan Bhavan, CBD

Belapur. The learned Counsel for the Petitioner also assures the Court that the Petitioner would co-operate with the investigation.

3. We expect the office of the State CID to abide by the commitment mentioned in the said letter dated 20/02/2018.

4. Insofar as the other prayers are concerned, the learned Addl.P.P. Mrs. Pai informs us that Mr. Sanjay Kumar, Additional Director General of Police, CID, Pune, is looking into the complaint of the Petitioner and that after holding such enquiry as he deems fit, he would conclude the same by recording his findings in respect of the complaint of the Petitioner. We also expect that the enquiry is completed expeditiously. Writ Petition to accordingly stand disposed of.

5. Insofar as compliance of prayer clause (a) is concerned, the Petition to be put up on 20/03/2018 on the Supplementary Board for compliance.

(SARANG V. KOTWAL, J.)

(R. M. SAVANT, J.)