

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
WRIT PETITION NO. 741 OF 2016**

Pandurang Waghoji Dabhekar and ors. .. Petitioners.

v/s.

The Commissioner of Police, Pune & ors. .. Respondents.

WITH
CRIMINAL APPLICATION NO. 393 OF 2016
IN
WRIT PETITION NO. 741 OF 2016

Ramchandra Shivaji Jadhav. .. Applicant..

v/s.

Pandurang Waghoji Dabhekar and ors. .. Respondents.

WITH
WRIT PETITION NO. 1569 OF 2016

Ramchandra Shivaji Jadhav. .. Applicant..

v/s.

The State of Maharashtra and anr. .. Respondents.

Mr. S.S. Kulkarni, advocate for petitioners in WP 741/16.

Mrs. M.M. Deshmukh, APP for State.

Mr. Nitin Pradhan I/b. S.D. khot & Ameeta Kuttikrishnan, advocate for petitioner in WP 1569/2016 and applicant in APPW 293/16 and for respondent No. 3 in WP 741/16.

**CORAM : RANJIT MORE &
SMT. SADHANA S. JADHAV, JJ.**

DATE : MARCH 21, 2018.

P. C. :

1 Learned APP having taken instructions from the officer concerned at the outset makes a statement that after completion of investigation of the subject FIR, B-summary report is filed before the Additional Chief Judicial Magistrate, Shivaji Nagar, Pune on 11/12/2017. In support of her submission, she has placed on record the report dated 20/3/2018 of the Senior Inspector, Shivaji Nagar Police Station, Pune city. The report is taken on record.

2 In the light of the above report, both the petitions are rendered infructuous. So far as Writ Petition No. 741 of 2016 is concerned, the remedy of the Petitioner therein is to contest B-summary report. Needless to mention that learned Additional Chief Judicial Magistrate shall dispose of the B-summary report after giving an opportunity of hearing to the petitioner in this writ petition. It is expressly made clear that all points and contentions of the respective parties are kept open. Subject to above, both petitions are disposed of.

3 In view of disposal of the Writ Petition No. 741 of 2016, nothing survives for consideration in Criminal Application No. 393 of 2016. The same is disposed of accordingly.

[SMT. SADHANA S. JADHAV, J.]

[RANJIT MORE, J.]