

psv

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

WRIT PETITION (STAMP) NO.10986 OF 2018

“X”

...Petitioner

Vs.

Union of India & Ors.

...Respondents

Ms.Deepa Chawan with Ms.Reshmarani Nathani, Mr.Ravindra Chille
i/b.Ms.Ameeta Kuttikrishnan for Petitioner.

Mrs.Purnima Awasthi with Mr.Ashok Varma for Respondent No.1-Union
of India.

Mr.A.B. Vagyani, G.P., with Mr.A.P. Vanarase, AGP, Mr.More, AAGP, for
State.

Mr.Ravindra S. Bambale, API, Ulhasnagar Hill Police Station.

**CORAM : NARESH H. PATIL AND
G.S. KULKARNI, JJ.**

DATE : 24th APRIL 2018

P.C.:

The learned Government Pleader Mr.Vagyani, on instructions of the investigating officer who is present in Court, submits that on 30th July 2017, First Information Report bearing Crime No.206 of 2017 was registered under Section 363 of the Indian Penal Code by the police attached to Hill Line Police Station. Since then the investigation was going on. The minor victim and the accused were traced out in the State of Uttar Pradesh and they were brought to

Mumbai in the month of March 2018. The victim has undergone medical examination after detection of pregnancy and on the request of the parents of the victim girl, this Court permitted termination of pregnancy. We may refer to our order passed on 23rd April 2018.

2. The learned Government Pleader submits that after collecting necessary material, final report shall be submitted on priority basis.

3. We have perused the investigation papers. From the record, we find that the Deputy Commissioner of Police, Zone-IV, Ulhasnagar, by an order dated 28th February 2018, granted permission to send the police party to State of Uttar Pradesh for investigation.

4. In such cases, it is necessary to promptly record the FIR and complete investigation on priority. At the Commissionerate level, the status report of such cases involving minor victim girls/women and continuous monitoring of the status of the investigation is necessary. The respective Superintendents of Police at district level and the Divisional Deputy Commissioners of Police in the urban area shall take up such issues on priority and monitor the progress of the investigation till completion of it. Any delay in the investigation noticed by the

superior officers shall be looked into by the superiors. Timely investigation in such cases and other serious criminal cases is need of the hour. Delay in investigation would defeat the very purpose of effective criminal justice system. We hope that at the State level, necessary instructions will be issued to the concerned.

5. The learned Government Pleader, on instructions, submits that on 17th March 2018 the offences punishable under Section 376 of the Indian Penal Code and under Sections 4 and 8 of the Prevention of Children from Sexual Offences Act 2012 were added to the crime. The investigating agency proposes to take necessary steps in accordance with the provisions of the Prevention of Children from Sexual Offences Act 2012 in completing the investigation. We do not express any opinion as to in what manner the investigating officer would investigate the offence, but it is expected that the mandatory compliances of the statutory provisions of law shall strictly be adhered to before the investigating officer would file a final report.

6. We appreciate the efforts taken by the N.G.O. and the High Court Legal Services Authority Officers for taking prompt steps and action.

7. The learned Government Pleader would communicate the order.

8. The writ petition stands disposed of.

[G.S. KULKARNI, J.]

[NARESH H. PATIL, J.]