

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

WRIT PETITION NO. 4853 OF 2017

Mohammed Asif.

..Petitioner.

Versus

The Senior Police Inspector of Mumbra
Police station & Others.

..Respondents.

Mr. S. G. Kudle for the Petitioner.

Mr. F. R. Shaikh, APP for the Respondent-State.

Coram : RANJIT MORE &
SMT. BHARATI H. DANGRE, JJ.

Date : **October 10, 2018.**

P. C. :

1. Heard learned counsel for the Petitioner and learned APP for the Respondent-State. The petition is filed seeking writ of habeas corpus directing Respondent No.1 to produce the Petitioner's son Master Tousif.

2. During the pendency of petition, a missing person complaint was filed by Tousif's mother – Raisa. While undertaking enquiry into this complaint, police found that the Petitioner's son was murdered by one Aslam Munna Yunis Shaikh. Accordingly, an FIR bearing No. 225 of 2017 was registered against said Aslam Munna Yunis Shaikh for the offence punishable under sections 302, 201, 363 of the Indian Penal Code, 1860. The investigation in this FIR is already completed and the charge-sheet is also filed.

3. In the light of above, this writ petition does not survive as the purpose for which the petition was filed is accomplished. Mr. Kudle, the learned counsel for the Petitioner, however, makes a grievance about the investigation in FIR bearing CR. No. 225 of 2017. Whatever is the grievance in this regard, can be taken care by the concerned Court, which is seized of the matter. The Petitioner is always at liberty to avail the same. So far as the present writ petition is concerned, the same need not be kept pending and the same is accordingly disposed of.

[SMT. BHARATI H. DANGRE, J.]

[RANJIT MORE, J.]