

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

CONTEMPT PETITION NO.70 OF 2017

Kantaben Narayan Patel

Petitioner

versus

1.Mr.Ravindra Badgujjar,
Senior Police Inspector of Police,
Nallasopara Police Station.

2. The State of Maharashtra

Respondents

Ms.M.J.Reena Rolland for petitioner.
Mr.Yogesh Dabke, AGP, for State.

CORAM : S.C.DHARMADHIKARI AND
PRAKASH D. NAIK, JJ.

DATE : 7th March 2018

PC :

1. Heard both sides. We find that the order of this Court which is relied upon and particularly the directions therein in paragraph no.3, cannot constitute foundation to allege civil contempt. The matter is pending in the competent Criminal Court. In the event the petitioner is not satisfied with the investigations carried out and therefore alleges that fair and proper and further investigations be carried out, nothing prevents her to approach the competent Criminal Court. It is the competent Criminal Court which will issue the directions in terms of applicable law namely Code of Criminal Procedure, 1973.

2. We do not see how the order passed by this Court can be made a foundation for alleging civil contempt. The Contempt Petition No.70 of 2017 is entirely misconceived and is dismissed.

(PRAKASH D. NAIK, J.)

(S.C.DHARMADHIKARI, J.)

MST