

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO. 10004 OF 2019

Vinayak Shripati Karad

...Petitioner

Versus

The Public Information Officer cum
Assistant Professor, Forensic Medical
Science Dept. Swami Ramanand Tirth
Medical College and Hospital, Ambajogai.
& Ors.

...Respondents

.....
Mr. V.C.Patil-Ashtekar, Advocate for the Petitioner.
Mr. S.P.Tiwari, A.G.P. for the Respondent Nos. 3 & 4.
.....

CORAM : RAVINDRA V. GHUGE, J.

DATE : 13-08-2019.

PER COURT :

01. The petitioner is aggrieved that the information sought by him under R.T.I. Act has not been furnished by the Information Officer of Swami Ramanand Teerth Medical College and Hospital Ambajogai.

02. The issue is that one Mr. Shivanand Karad is alleged to have been attacked by the petitioner and he was admitted in the said medical hospital for treatment

between 2.6.2018 and 6.6.2018. An F.I.R. was registered against the petitioner invoking Sections 341, 323, 324, 504, 506 and 34 of the Indian Penal Code. The charge-sheet is also said to have been submitted before the competent Court and the trial is likely to commence. In this backdrop, the petitioner had sought information from the Hospital as to what were the types of injuries suffered by Shivanand, how was he treated, what were the medicines prescribed and how many wounds were found on his body. The said information is denied under Section 8(1)(h) and 8(1)(j).

03. There is no dispute that after the charge-sheet has been filed in the competent Court, trial in the matter would commence. The concerned authorities are of the impression that submitting or furnishing such information sought by the petitioner, is likely to impede the process of investigation and prosecution of offenders and is a personal information.

04. Since, I find that the information sought by the petitioner is within the domain of the prosecution which will have to lead evidence before the concerned Court in the Criminal Trial, the impugned Orders can not be faulted. The prosecution would be bringing in evidence before the Trial Court and therefore, the application

under R.T.I. need not be entertained.

05. This petition being devoid of merits, is, therefore, dismissed.

[RAVINDRA V. GHUGE]

JUDGE

Dahibhate/-