

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

**REVIEW APPLICATION NO. 210 OF 2019
IN
CONTEMPT PETITION NO. 399 OF 2019
WITH
REVIEW APPLICATION NO. 211 OF 2019
IN
CONTEMPT PETITION NO. 400 OF 2019
WITH
REVIEW APPLICATION NO. 212 OF 2019
IN
CONTEMPT PETITION NO. 401 OF 2019**

Nagnath Urban Co-operative Bank Ltd., Hingoli
Through its Branch Manager ... Applicant

Versus

Mr. Yogesh Kumar,
Superintendent of Police, Hingoli ... Respondent

....

Mr. Sachin S. Deshmukh, Advocate for applicant.

....

CORAM : R. G. AVACHAT, J.

DATED : 14th OCTOBER, 2019

PER COURT :-

. Heard Mr. Sachin Deshmukh, learned counsel for the applicant.

2. These three review applications are taken up together, since, the parties thereto are one and the same.

3. These applications have been moved for review of the common order passed by this Court on 09.09.2019, dismissing contempt petition Nos. 399, 400 and 401 of 2019.

4. The applicant had moved petitions alleging the respondent to have committed contempt of the order dated 11.03.2019, passed by this Court in Criminal Writ Petition Nos. 68, 69 and 70 of 2019. For better appreciation, the order passed on 11.03.2019 in all three criminal writ petitions is reproduced below :-

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.....

(I) *The learned Judicial Magistrate, First Class, Hingoli is directed to expedite the hearing of Regular Criminal Case Nos.250/2008, 313/2007 and 310/2007 and decide the same as expeditiously as possible, preferably within a period of six months from the date of receipt of the present order.*

(II) *The Investigating Officer as well as the petitioner shall cooperate to the trial Court for disposal of the aforesaid criminal cases within the period stipulated by this Court.*

(III) *Criminal Writ Petitions stand disposed of accordingly.”*

5. This Court, rejected the contempt petitions on the ground that the Investigating Officer was not made party to the contempt petitions. The contempt petitions were moved against the Superintendent of Police, alone, while the order passed in the

criminal writ petitions undoubtedly indicate that direction was given to the Investigating Officer to cooperate with the trial Court for expeditious disposal of the cases. The Superintendent of Police was in no way concerned with the investigation of the crime in question. The Superintendent of Police has not been issued any direction in the order dated 11.03.2019.

6. The contempt petitions were disposed of by this Court mainly on the ground that Investigating Officer has not been made party thereto and the Superintendent of Police against whom the contempt petitions came to be filed, was not subjected to any of the directions given in the order dated 11.03.2019.

7. Therefore, in my view, there is no substance in the review applications. The review applications, therefore, stand rejected.

[R. G. AVACHAT, J.]

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