

IN THE HIGH COURT OF JUDICATURE AT BOMBAY**BENCH AT AURANGABAD****CRIMINAL WRIT PETITION NO. 1774 OF 2019**

Sham S/o Rambhau Gaikwad,
Age : 31 Years,
Occ. Police Constable,
R/o. N-9, CIDCO, Aurangabad ... PETITIONER

VERSUS

1. The State of Maharashtra,
Through Commissioner of
Police, Aurangabad
2. Police Inspector,
Police Station, CIDCO,
Aurangabad ...RESPONDENTS

....
Advocate for the petitioner : Mr. V. B. Jogdand Patil
A.P.P for respondent-State : Mr. K. S. Patil
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**CORAM :T.V. NALAWADE AND
S. M. GAVHANE,JJ.**
DATE : 21.11.2019.

ORAL JUDGMENT [PER T.V. NALAWADE JJ] :-

Rule. Rule made returnable forthwith. By consent heard both the sides for final disposal.

2. The present proceeding is filed for giving direction to the trial Court to see that Regular Criminal Case No. 1141 of 2018 pending in the Court of learned Chief Judicial Magistrate, Aurangabad is disposed of expeditiously.

3. It appears that one case filed under Section 307 of the

Indian Penal Code read with other offences against three accused persons, who were arrested by the police. After that three accused had made allegations of assault on them by some police officers. Present petitioner was also named and so the enquiry was held as per the direction given by the learned Principal District Judge, Aurangabad. After the enquiry, it was revealed that there was assault to three accused persons and so case came to be filed against the petitioner and others of the offence punishable under Sections 324, 323 read with Section 34 of the Indian Penal Code i.e. aforesaid case. Submissions made show that aforesaid three accused, who had made allegations of assault are examined as witnesses in the criminal case. All of them turned hostile.

3. The learned counsel for the petitioner submits that petitioner has passed M.P.S.C examination and he is selected for the post of P.S.I. (Police Sub Inspector). He submits that he is required to go for training which is scheduled on 2nd December, 2019. He submits that pendency of this case may come in his way and so the case needs to be disposed of expeditiously.

4. In view of the aforesaid circumstances, this Court hereby

directs the learned Chief Judicial Magistrate, Aurangabad to see that the case is disposed of expeditiously and in any case before 15.12.2019.

5. Proceeding is allowed and disposed of in aforesaid terms.

6. Liberty is granted to the petitioner to come before this Court, if the matter is not decided before 15th December, 2019.

7. Authenticated copy is allowed to both the sides.

(S. M. GAVHANE, J.)

(T.V. NALAWADE, J.)

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