

THE HIGH COURT OF JUDICATURE AT BOMBAY,
BENCH AT AURANGABAD.

CRIMINAL WRIT PETITION NO. 1733 OF 2017

Suresh S/o Kisan Khandagale,
Age:- 65 Years, Occu:- Agriculturist,
R/o Sidewadi, Tq. Ashti, Dist. Beed.

... PETITIONER
(ORIGINAL COMPLAINANT)

VERSUS

1] The State of Maharashtra,
(Through the Secretary of Home Department
Mantralaya, Mumbai-32, Maharashtra).

2] The Police Inspector,
Police Station, Ashti,
Tq. Ashti, Dist. Beed.

3] [The Assistant Superintendent,] (Deleted as per order dtd.
[Taluka Court, Ashti, Tq. Ashti,] 19/03/2018 passed by
[Dist. Beed.] Hon'ble High Court.)

... RESPONDENTS

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Mr. H. V. Tungar, Advocate for Petitioner.

Mr. M. M. Nerlikar, APP for Respondent Nos.1 & 2.

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**CORAM : T. V. NALAWADE &
MANGESH S. PATIL, JJ.**

DATE : 02nd April, 2019.

ORAL JUDGMENT: (Per T. V. Nalawade, J.)

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

2 The proceeding is filed for giving direction to the Respondent / investigating agency to take some decision in C.R. No.MA-63 of 2013, registered with Ashti Police Station, District Beed on the basis of direction given by the learned Judicial Magistrate First Class to make investigation. The submissions made show that when the direction was given to make investigation, nothing was informed to the Complainant for so many years and so, he applied to the police in the month of February, 2016 to inform him about the decision taken and it was informed to him that the police had already filed 'B' summery report in the Court of Judicial Magistrate First Class. When he made inquiry with the Court of learned Judicial Magistrate First Class, Ashti, it was informed to him that no such final report was filed by the police in the Court. This Court has seen copy of the said communication. In view of these circumstances, this Court holds that if the original record is missing, the concerned police station need to file final report in the said crime. It needs to be done within one month

from today. With this direction, the criminal writ petition is allowed and disposed of.

3 Appropriate action is expected against the concerned police officer who has done mischief. Copy of report given to the learned APP by the concerned District Superintendent of Police is taken on record.

[MANGESH S. PATIL, J.]

[T. V. NALAWADE, J.]

ndm