

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
WRIT PETITION NO. 3678 of 2014

Babu Qutubali Shah	.. Petitioner
Versus	
The State of Maharashtra and others	.. Respondents

...

Mr. Yogesh Dalvi I/b B.D. Bahal for the petitioner.
Mrs.A.S. Pai, APP for the State.
Mr.Surendra Belkhede, API from EOW, Mumbai present.

CORAM: SHRI RANJIT MORE &
SMT. BHARATI H.DANGRE, JJ.
DATED : 9th JULY 2019

P.C:-

1 Heard.

2 Petition is filed seeking direction to the respondent to arrest and prosecute the absconding accused in C.R. No. 143/2010 registered with Agripada Police Station (subsequently transferred to EOW and renumbered as 49/2010).

3 Mrs.Pai, learned APP on instructions of the Officer from EOW, make a statement that out of the total 11 accused in the said C.R, initially, charge-sheet was filed against four

accused on 18th April 2013 and the charge-sheet could not be filed against seven accused as they were absconding.

4 Learned APP further makes a statement that accused Abhir Khan is thereafter arrested on 4th April 2019. Out of the these seven accused, four accused i.e. Abhir Khan, Raju Meher, Sunil Meher and Sanjeev Meher are concerned, learned APP makes the following statement :

“Abir Khan is arrested on 4th April 2018. Raju Meher died in the year 2014 itself, and as far as Sunil and Sanjeev Meher are concerned, report under Section 169 is filed on 22nd May 2017.”

5 So far as three accused Arif Khan, Mohd Riyaz Ahmed Malik and Mohd Iqbal Ishak Shaikh are concerned, they are still absconding. However, charge-sheet is filed against these accused on 26th November 2014. Learned APP also makes a statement that sincere efforts are being made to apprehend these three accused. Statement made by the learned APP is accepted.

6 In the light of above, grievance raised in the petition stands redressed.

7 Petition is accordingly dismissed.

(SMT. BHARATI H. DANGRE, J.)

(RANJIT MORE, J.)