

WRIT PETITION No. 3793 OF 2016

Bharatkumar Tulsidas Patil	...	Petitioner
Vs.		
The State of Maharashtra & Ors.	...	Respondents

Mr. Vinay Bhanushali, for the Petitioner.
Mrs. M. M. Deshmukh, APP for Respondent-State.
Mr. G. U. Tayade, PIS, Uran Police Station, Navi Mumbai - present.

**CORAM : INDRAJIT MAHANTY, &
SARANG V. KOTWAL, JJ.**

DATE : FEBRUARY 6, 2019

PC :

1. Heard the learned counsel for the Petitioner and the learned APP for the Respondent-State. The police report dated 6.2.2019 tendered by the learned APP in the Court is taken record. Perused the said report. The said report details the various steps taken by the police authorities to try and locate the missing son of the Petitioner. A copy of this report is served on the learned counsel for the Petitioner.

2. This petition for the writ of habeas corpus is filed in the year 2016, when the son of the Petitioner went missing. It appears that several directions have been given time and again and several

reports have been filed by the investigating agencies in this Court, indicating the various steps taken in order to locate the missing person.

3. At the outset, we record our appreciation for the steps taken by the investigating agency in order to try and locate the missing person. Neither in the pleading nor in the course of investigation is any allegation made about “unlawful detention”.

4. However, learned counsel for the Petitioner submits that although Mumbai Police have constituted a Bureau for the Missing Persons, no real attempts are made by the said Bureau to locate missing person and the said Bureau has been created only for the purpose of keeping records.

5. Considering the various steps taken from time to time as well as status report submitted by the State, we are of the view that no purpose would be sub-served in keeping this petition pending. However, we direct the Commissioner of Police, Navi Mumbai to carry out quarterly review of all investigations into missing persons' cases and take up the active investigation of all such pending cases as and when any new lead / information is found in such matters.

6. We hope and trust that these directions are followed by the police authorities both in letter and spirit in order to bring

relief to the lives of persons whose family members go missing.

7. Liberty is granted to the Petitioner, if they get any lead / or fresh information, to provide the same to the police authorities for the purpose of investigation. With these directions, writ petition is disposed of.

Sd/-

[SARANG V. KOTWAL, J.]

Sd/-

[INDRAJIT MAHANTY, J.]

Vinayak Halemath