

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL WRIT PETITION NO.4185 OF 2013

SUNITA SUNIL KAWALE

)...PETITIONER

V/s.

SENIOR INSPECTOR OF POLICE AND ORS.)...RESPONDENTS

Mr.R.D.Soni a/w. Mr.V.R.Kasle, Advocate for the Petitioner.

Mrs.M.M.Deshmukh, APP for the Respondent - State.

**CORAM : INDRAJIT MAHANTY &
A. M. BADAR, JJ.**

DATE : 14th AUGUST 2019

P.C. :

1 By this petition for Habeas Corpus, petitioner Sunita Kawale, who is mother of missing person named Sachin Kawale, aged about 25 years, is praying for directing the State to produce him before this court.

2 We have heard the learned counsel appearing for the petitioner. He argued that efforts for tracing out the missing person by the concerned Police Station are still going on, and therefore, suitable directions be given to the Police authority to continue their efforts for tracing out the missing person.

3 The learned APP has tendered fresh report stating out the steps taken by the Police authority for tracing out the missing person. The same is taken on record and marked as “Exhibit X” for the purpose of identification.

4 Missing person namely Sachin Kawale, who at the relevant time was aged about 24 years, went missing from 7th August 2013. Thereafter, on the basis of missing complaint, Missing Case No.32 of 2013 came to be registered. From reports submitted by the Police authority it is seen that efforts were taken to trace out the missing person by making enquiries from his friends which include Shrushti Patil and Minal Sawant. The Police Officers further interrogated all colleagues as well as officers of

the company where the missing person was employed. Enquiry was also conducted from the fishermen working at Kalwa Creek. Similarly, posters were pasted in the locality in order to trace out the missing person.

5 Considering the report tendered by the concerned Police Station, we are satisfied that the Police Officer is taking all the necessary steps for tracing out the missing person. After considering the facts culled out from the police report, we are of the opinion that no case of illegal detention is made out by the petitioner.

6 In this view of the matter, we feel it expedient not to keep this petition pending, particularly in the light of the statement made in the report to the effect that search of the missing person shall be continued in future.

7 We, therefore, hope and trust that the Anti Extortion Cell of Crime Branch of Navi Mumbai will continue the search of

missing person namely Sachin Kawale in future with same enthusiasm.

8 With this, the petition stands disposed off.

(A. M. BADAR, J.)

(INDRAJIT MAHANTY, J.)