

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH : NAGPUR

CRIMINAL WRIT PETITION NO.11 OF 2019
(Bhimrao Ramji Ratne vs. The State of Maharashtra and others)

Office Notes, Office Memoranda of
Coram, appearances, Court's orders Court's or Judge's orders
or directions and Registrar's orders.

Shri P.S. Girdekar, Advocate for petitioner.
Shri C.A. Lokhande, Advocate for respondent nos. 1 to 4.
Shri N.S. Khubalkar, Advocate for respondent no.5.
Shri K.S. Narwade, Advocate for respondent no.6.

CORAM : P.N. DESHMUKH AND
 ROHIT B. DEO, JJ.

DATED : FEBRUARY 11, 2019

In response to the notice issued by this Court, prosecution has produced Chetna Ratne, Santosh Ratne and Rekha Ratne. Investigating Officer is also present.

This petition is filed by petitioner, who is grandfather of girl Chetna Ratne, father of Santosh Ratne and father-in-law of Rekha Ratne, who are produced today by respondent no.2.

According to petitioner, his son Santosh, daughter-in-law Rekha and grand-daughter Chetna, were all residing with him and were taken by respondent no.6 Ganpat Rathod, who is Contractor and who had approached him requesting him to take his these three relatives for a period of three months for work as labourer at respondent no.5 Sugar Mill. However, they did not return back and on 21/12/2018 Santosh telephonically informed petitioner that in spite of their

request to respondent nos.5 and 6 to allow them to visit their house, they were not granted such permission and were extended threats. It is also alleged that respondent no.6 demanded money for grant of such permission, however, since Santosh, his wife and daughter were unable to satisfy his demand, they were not allowed to visit their village and in the circumstances, when petitioner was informed telephonically as aforesaid, he informed said fact to respondent no.4 on 3/1/2019. However, no action was taken and, therefore, he had also forwarded copy of his complaint to superior Officers. However, since no action was taken, he has approached this Court by filing this petition.

In response to the notice issued, respondent no.5 has filed his reply contending that he is in no way connected with the facts mentioned in the petition except that theirs is Sugar Factory and for removing sugarcane crop, they require labourers for which they have taken services of respondent no.6, who is working as a Supervisor under the control of Contractor Ashok Jadhav, who is looking after work of arranging labourers and monitoring their services, etc. Respondent no.5 as such has denied detention of any relative of petitioner in any manner.

Respondent no.6 in his affidavit-in-reply has also denied detention of relatives of petitioner.

From the affidavit-in-reply of respondent no.2, it has come on record that during the course of investigation, on recording statements of Santosh, his wife Rekha and daughter Chetna, aged about 17 years, it

is revealed that they were working as labourers in respondent no.5 factory under contractorship of respondent no.6. They stated that they were working there on their own will without any coercion and after the work is complete, they would return to their village Darvha. The affidavit-in-reply further reveals that during the course of further investigation, however, it was revealed that respondent no.6 thereafter had illegally detained them and, therefore, Police Station, Gategaon within whose jurisdiction the incident has occurred has registered offence vide Crime No.11/2019, which is under investigation.

As referred above, law will take its own course against respondent no.6.

The petition was filed for taking appropriate steps by respondent State for production of petitioner's, son, daughter-in-law and grand daughter named above, who are produced before Court by respondent no.2.

The petitioner is also present in the Court and custody of his son, daughter-in-law and grand daughter is handed over to him. We find that purpose of filing the petition is served. In that view of the matter, we do not find any reason to issue further directions to respondent State.

The petition is accordingly disposed of in the above terms.

JUDGE

JUDGE

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