

IN THE HIGH COURT OF JUDICATURE AT BOMBAY:
NAGPUR BENCH : NAGPUR
Criminal Writ Petition No.79 of 2018
[Sau. Sunanda Vishwanath Sarkar Vs. State of Mah., Aheri PS, Distt. Gadchiroli & others]

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

Court's or Judge's orders

Mr. Mahesh Rai, Adv., for the petitioner.
Mr. M. K. Pathan, APP for respondents.

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**CORAM : P. N. DESHMUKH AND
SMT. PUSHPA V. GANEDIWALA, JJ.**

DATE : 17th June, 2019

Heard learned counsel for the petitioner and
learned Addl. Public Prosecutor for respondents.

The prayers in this petition are for issuing
directions to respondent nos. 2 and 3 to initiate an
enquiry against respondent no.1 and to hand over the
investigation into the subject-matter involved in the
petition to the Local Crime Branch.

The facts involved in the petition are that an
offence vide crime No. 70/2017 under Sections 302, 376

and 307 of Indian Penal Code came to be registered against the only son of the petitioner, namely Sanju Vishwanath Sarkar, alleging that the son of the petitioner entered the house of one Bharti, and, on indulging into sexual assault on her, caused death of her minor son. Based on such allegations, the petitioner's son was arrested and offence was registered against him. According to the petitioner, as a fallout of the above act of petitioner's son, various persons, as named in para 3 of the petition, gathered in front of house of the petitioner, abused her and her family members and entered her house, and after dragging her out of the house, manhandled her and assaulted by kick and fist blows. Learned Addl. Public Prosecutor submitted that the said incident of a mob fury and then assault on the petitioner by it is duly investigated and on completion of investigation, a charge-sheet is filed before the competent Court against as many as twenty-five accused persons. On going through the charge-sheet by learned counsel for the petitioner also, he makes a statement that the petitioner is satisfied with the investigation carried out and in view of filing of charge-sheet against the erring persons, the prayers in the petition are satisfied.

After considering the facts as aforesaid and as the limited two prayers in the petition, i.e. to take action against the responsible officer and to transfer the investigation to the Local Crime Branch are satisfactorily

answered, we dispose of the petition with no orders as to costs.

Judge

Judge

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