

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

CRIMINAL WRIT PETITION NO.153 OF 2019

(Anita d/o Rajkumar Das and another vs. Superintendent of Police 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 R.M. Pande, Advocate for petitioners.

Shri M.K. Pathan, Additional Public Prosecutor for
respondent nos.1 and 2.

Shri M.N. Ali, Advocate for respondent no.3.

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

DATED : JUNE 4, 2019

Heard Shri Pande, learned Counsel for
petitioners, Shri Pathan, learned Additional Public
Prosecutor for respondent nos.1 and 2, and Shri Ali,
learned Counsel for respondent no.3.

This petition is filed by the petitioners for
issuing direction to respondent State for execution of
bailable/non-bailable warrants issued from time to time
against respondent no.3 in the proceedings initiated by
petitioners under Section 125 of Code of Criminal
Procedure before trial Court. It is also the case of
petitioners that respondent no.4 being Corporator of the
area wherein respondent no.3 resides had issued false
certificate stating that respondent no.3 is not resident of
the said area.

During hearing, Shri Pande, learned Counsel
for petitioners, makes a statement that pending present

petition, respondent no.3 is already arrested and lodged in Jail at Bhandara for non payment of arrears of maintenance to petitioners.

In view of statement as aforesaid and as limited prayer is for direction to respondent State to take appropriate steps for effecting execution of arrest warrants issued against respondent no.3 from time to time, petition is found to be rendered infructuous.

Though one of the prayers in the petition is also to take suitable action against respondent no.4 for issuing false certificate and having considered that the purpose for filing petition since is found satisfied, with liberty in favour of petitioners to take appropriate steps, if found necessary in future, we dispose of the petition in the above terms.

JUDGE

JUDGE

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