

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
WRIT PETITION NO.4622 OF 2015

Northstar Gems (India) Ltd. ... Petitioner
Versus

The State of Maharashtra and Ors. ... Respondents

Mr. Mihir Desai, Sr. counsel a/w Mr. Mihir Joshi for the petitioner.

Smt. S.D. Shinde, APP for the State.

API Amol Mandalkar, Santacruz Police Station present.

CORAM : B.P. DHARMADHIKARI &
NITIN R. BORKAR, JJ.
DATE : JANUARY 06, 2020

P.C.:

Heard for some time. Perused affidavit dated 13/12/2019 submitted by the Investigating Officer.

2. We regret that the order dated 08/11/2000 under section 156(3) Cr.P.C. has not received requisite attention from the respondents. The affidavit also does not show all details.

3. We find that the investigation is now stalled as the report from the Forensic Science Laboratory, Kalina on the documents mentioned in paragraph 10 of the reply affidavit is still awaited.

4. The Investigating Officer is also attempting to procure the statements of the complainant made on 5/3/1997 and 10/3/1997. The specimen signature of the accused has been obtained on

1/9/2019 and the report of handwriting expert on it is still awaited.

5. The Investigating Officer has stated that after receipt of the report from the Forensic Science Laboratory and handwriting expert, SEBI and Company Registrar, the investigation shall proceed further.

6. We direct the Investigating Officer to use the statutory powers to procure the statements dated 5/3/1997 and 10/3/1997. We also direct the other authorities mentioned supra to submit their reports to Investigating Officer within three months from the date of communication of this order to them. The Investigating Officer to communicate these orders to those authorities, After receipt of the respective reports and statements are procured, the Investigating Officer shall complete the investigation in accordance with law within next four weeks.

7. We however, keep all contentions of the petitioner open and the same shall be looked into if the occasion therefor arises.

8. Needless to mention that the bailable warrant issued against respondent no.2 is recalled.

9. With these directions, we partly allow the writ petition and dispose it of.

(NITIN R. BORKAR, J.)

(B.P. DHARMADHIKARI, J.)