

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL WRIT PETITION NO. 1653 OF 2015

Manharbhai Ahir

..Petitioner

Vs.

The State of Maharashtra & Ors.

..Respondents

None for the Petitioner.

Mrs. P. P. Shinde, for the Respondents / State.

MAMTA
AMAR
KALE

Digitally signed
by MAMTA
AMAR KALE
Date: 2021.09.28
15:23:29 +0530

CORAM : NITIN JAMDAR AND
C. V. BHADANG, JJ.

DATE : 28 SEPTEMBER 2021

P.C.

. None for the Petitioner.

2. We have perused the Petition record. The Petitioner has sought the following reliefs.

(a) That this Hon'ble Court be pleased to issue notice to the Respondents to show cause why offence under Indian Penal Code and under the POCSO Act should not be registered against the Respondent No.3.

(b) That this Hon'ble Court be pleased to direct the Investigating Officer to produce a diary / notes and directions if any received by the Daman Police Station in connection with the above stated case of the Petitioner.

(c) That this Hon'ble Court be pleased to observe dereliction of a duty by the officers of the Daman Police Station and further be pleased to direct that offence under Section 306 of the Indian Penal Code and 4 of the POCSO Act be registered against the accused the Respondent No.3.

(d) That this Hon'ble Court be pleased to transfer the investigation of the case to the Officers of State CID or CBI and further be pleased to direct that the investigation of the instant case be carried out under a supervision of a superior officer with filing appropriate reports before this Hon'ble Court on specific intervals.

(e) Any such further orders and/or directions be given as the nature and circumstances of the case may require by this Hon'ble Court.

3. The Petition was filed in April 2015. When the Petition came up on board, twice it was adjourned at the request of the learned counsel for the Petitioner. The incident is alleged to have happened in March 2015. Since six and half years thereafter no efforts have been made to seek any interim orders. At this stage, we are not inclined to interfere in the extraordinary jurisdiction. Keeping all the contentions of the Petitioner open to be agitated before the concerned Court, we dispose of the Petition.

(C. V. BHADANG, J.)

(NITIN JAMDAR, J.)