

VISHWANATH
SATYANARAYANA
SHERLA

Digitally signed by
VISHWANATH
SATYANARAYANA
SHERLA
Date: 2021.09.29
15:32:14 +0530

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE SIDE**

CRIMINAL WRIT PETITION NO.2746 OF 2021

Bhanubai Shantilal Makwana

... Petitioner

Vs.

Administrator of DNH and Daman & Diu &
others

... Respondents

Ms.Prabha Badadare with Mr.Jayant Bardeskar for the Petitioner
Mr.K.V. Saste, APP, for Respondent – State
Mr.H.S. Venegaonkar for Respondent – Union of India

**CORAM: S.S. SHINDE &
N.J. JAMADAR, JJ.**

DATED: SEPTEMBER 29, 2021

P.C.:

1. Heard Ms.Badadare, learned Counsel appearing for the petitioner and Mr.Venegaonkar, learned Counsel appearing for Respondent Nos.1 to 3.

2. On the previous date, the learned Counsel appearing for Respondent Nos.1 to 3 had made a statement that the First Information Report had already been registered and the investigation was underway. Ms.Badadare, learned Counsel appearing for the petitioner, had sought time to take instructions.

3. Ms.Badadare submits that the Investigating Officer has not taken into consideration the statement which the petitioner had made in the month of August, 2021.
4. Since a submission is made on behalf of the respondents that the investigation has commenced and statements of few witnesses have been recorded, the grievance of the petitioner would be redressed if a further statement of the petitioner is recorded.
5. The learned Counsel appearing for the petitioner submits that the petitioner would appear before the Investigating Officer on Monday, the 4th October, 2021, for recording further statement.
6. In view of the above, nothing survives for further consideration. The Investigating Officer may record the further statement of the petitioner and proceed with the investigation in accordance with law.
7. With the aforesaid clarification, the petition stands disposed of.

(N.J. JAMADAR, J.)

(S.S. SHINDE, J.)