

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH, NAGPUR**

CRIMINAL WRIT PETITION NO.730 OF 2015

Sahebrao S/o Vitthalrao Raut and another

Versus

The State of Maharashtra and another

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

None for Appellants.

Mr. M.J. Khan, Additional Public Prosecutor for Respondents.

**CORAM : PRASANNA B. VARALE
N.B. SURYAWANSHI, JJ.**

DATE : 1st APRIL, 2021

1. None appears for the appellants.
2. The short point raised in this petition is that though the petitioners have approached the police authorities in general and the Police Station Officer of Police Station Mangrulpur in particular, raising the grievance in respect of certain misdeeds, the police authorities failed to take proper cognizance and the same resulted in non-registration of the offence (F.I.R.), though the offences were prima facie cognizable.
3. Notice was issued by this Court on 14th September, 2015. In response to the notice issued, reply is filed on behalf of the respondents way back, i.e. on 8th October, 2015. It seems that for one reason or the other, the petition was not listed before this

Court for quite some time. Learned Additional Public Prosecutor Mr. Khan invited our attention to the reply and more particularly to the statement made in Para 3 thereof, which reads thus :

“3. ... Therefore the answering respondent has taken cognizance of the complaint filed by Ramdas Dongre on 5.10.2014 and registered the offence vide Crime No.240/2015 on 5.10.2015 for the offence punishable u/s 466, 467, 468, 471, 473, 481, 474, 409, 420 , 34 and 181 of I.P.C.”

It is also stated in Para 4 that the investigation in the aforesaid crime has therefore been initiated and is in progress.

4. Considering the sequence of events, it can safely be said that by this time even the process of investigation must have been completed. Considering all these facts, we are of the clear opinion that the purpose of approaching this Court by filing the petition is now duly served and the grievance raised in the petition no more survives. There is no reason to keep the petition pending only on account of non-availability of the counsel for the petitioners.

5. Accordingly, for the reasons stated above, the petition is disposed of.

(N.B. SURYAWANSHI, J)

(PRASANNA B. VARALE, J)