

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

CRIMINAL WRIT PETITION NO. 458 OF 2022

Dinesh s/o Namdeo Rathod,
Age 42 years, Occ. Agriculture,
R/o. Tivrang (J), Tq. Mahagaon,
District Yavatmal

...Petitioner

versus

1. The State of Maharashtra,
Through the Secretary,
Home Department,
Mantralaya, Mumbai
(Copy to be served on the
Public Prosecutor, High Court of
Judicature at Bombay,
Bench at Aurangabad)
2. The Superintendent of Police,
Ahmednagar.
3. The Police Inspector,
Jamkhed Police Station,
District Ahmednagar

...Respondents

.....
Mr. R. B. Ade, advocate for the petitioner
Mr. M. M. Nerlikar, A.P.P. for respondents
.....

**CORAM : V. K. JADHAV AND
SANDIPKUMAR. C. MORE, JJ.
DATED : 31st MARCH, 2022**

ORAL JUDGMENT (PER V. K. JADHAV):-

1. Rule. Rule returnable forthwith. By consent of the parties heard finally at admission stage.
2. The missing persons 20 in numbers, out of 21, are now produced before us by Shri Sunil Rambhau Bade, Assistant Police Inspector, attached to the Jamkhed Police Station, District Ahmednagar. So far as

remaining one person is concerned, it has been revealed during the course of investigation that he has gone to attend a religious function. We have carefully gone through the statements recorded by the investigating officer. The missing persons produced before us have stated in their statements that they had accepted the advance amount for doing the labour work of cutting sugarcane and went for the work alongwith one Kerba Jadhav. However, all of them have stated in their respective statements that neither Kerba Jadhav nor one Sham Mundhe have detained them. On the contrary, in terms of their statements, it appears that they have stayed there till their accounts are settled. According to them, they have no complaint against anyone.

3. In view of above, we direct that all the persons produced before us be set at free forthwith.

4. However, we direct the petitioner to pay costs of Rs.25,000/- (Rupees Twenty five thousand only) within a week from today and on depositing the said amount in this Court, the same shall be transferred to "Dengi Samiti Dean Govt. Medical College and Hospital Aurangabad, A/c. No. 063310200005678".

5. We discharge the Rule of habeas corpus accordingly and disposed of the writ petition.

(SANDIPKUMAR. C. MORE, J.)

(V. K. JADHAV, J.)

rlj/