

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

943 CRIMINAL WRIT PETITION NO.785 OF 2022

RAJU GANGADHAR KATTAWAD
VERSUS
THE STATE OF MAHARASHTRA AND ANOTHER

.....
Advocate for Petitioner : Mr. Borulkar Avinash R.
APP for Respondent-State: Mr. S.J. Salgare
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**CORAM : SARANG V. KOTWAL AND
BHARAT P. DESHPANDE, JJ.
DATED : 30th JUNE 2022**

PER COURT:-

1. The petitioner is one of the accused in C.R. No. 120 of 2022 registered at Bhokar police station, district Nanded on 4.4.2022 for the offence punishable under Sections 395, 323, 504, 506 r.w. 34 of I.P.C. The F.I.R. mentions that the incident had taken place on 3.4.2022 at about 10.30 a.m. The petitioner's name is mentioned in the F.I.R. He is alleged to have taken part in the assault.

2. Learned counsel for the petitioner states that at that time the petitioner was at least 30 to 40 kilometers away from the spot of incident as he was taking part in some agitation. He has certain CCTV footage at a petrol pump. On that basis he is asking for the police to investigate into the crime.

3. It is of course expected of the Investigation Officer to

investigate any offence impartially and fairly. If there is defence of alibi of the petitioner or any other accused, that also be needs to be investigated. Therefore, the investigating officer is directed to look into the defence claimed by the petitioner of his alibi.

4. With this direction the petition is disposed of.

5. It is made clear that we have not expressed anything on the petitioner's claim for its truthfulness. That is the matter to be investigated. The investigating officer shall investigate into that aspect without being influenced by this order.

(BHARAT P. DESHPANDE, J.)

(SARANG V. KOTWAL, J.)

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