

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

934 CRIMINAL WRIT PETITION NO.858 OF 2021

**DEEPAK NAMDEO SAWANT
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS**

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Advocate for Petitioner : Mr. S. R. Andhale
APP for Respondents-State: Mr. R.V. Dasalkar

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**CORAM : V. K. JADHAV AND
SANDIPKUMAR C. MORE, JJ.**

DATED : 25th JANUARY, 2022.

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P. C. :

1. In compliance with the order dated 20th January, 2022, learned APP submits that the concerned Police Inspector has already forwarded the proposal to the Superintendent of Police for initiation of the departmental enquiry against Police Constable Waman (B.No. 519) and at present the said proposal is under consideration of the Superintendent of Police.

2. We hope and expect that the Superintendent of Police will initiate departmental enquiry against Police Constable Waman (B. No.519) as the petitioner had suffered because of his negligence.

3. It appears that due to negligence of the said Police Constable Waman (B. No. 519) the incident had taken place. The concerned Police Inspector had to obtain the duplicate copy of the warrant from the concerned court and till then the petitioner had to stay in the hospital though he was discharged. There was no deliberate act and in view of the same, in our considered opinion the petitioner is not entitled for compensation. Further more, the concerned Police Inspector has already submitted a proposal for initiation of the departmental proceeding against Police Constable Waman (B. No. 519) and the same is under consideration of Superintendent of Police. In view of the same, nothing survives in this writ petition. Thus, the writ petition is accordingly disposed of.

(SANDIPKUMAR C. MORE, J.)

(V. K. JADHAV, J.)

vsm/-