

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

918 CRIMINAL WRIT PETITION NO. 934 OF 2022

ARTI D/O NETAJIRAO BRAMHANATHAKAR KULKARNI
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS

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Advocate for Petitioner : Mr. Santosh S. Jadhavar
APP for Respondent-State : Mr. M. M. Nerlikar

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**CORAM : MANGESH S. PATIL AND
ABHAY S. WAGHWASE, JJ.**

DATED : 12 OCTOBER 2022

PER COURT :-

1. The learned Advocate Mr. S. S. Jadhavar, on instructions, seeks leave to withdraw the writ petition with liberty to pursue appropriate remedy to ventilate the petitioner's grievance, after we expressed our disinclination to entertain the petition on merits.
2. Leave granted. The criminal writ petition is dismissed as withdrawn.
3. It appears that this Court had tentatively decided to take cognizance of the matter and had asked the learned APP to take instructions and in the meantime, this Court had directed the Superintendent of Police Parbhani to consider and decide the

petitioner's application dated 13.01.2022 whereby she was seeking police protection. It appears that thereafter the matter was listed on 06.09.2022, but the learned APP had sought time and the matter was adjourned. Today also, when we started hearing the matter, the learned APP specifically submitted that he had no instructions as to if the Superintendent of Police, Parbhani has obeyed the order of this Court dated 13.07.2022.

4. We decided to decide the petition itself on its own merits and proceeded to hear the arguments of both the sides. However, considering the fact that the concerned Superintendent of Police was *prima facie* in contempt inasmuch as in spite of passage of time no instructions were being passed on to the learned APP, we had asked the learned APP, on his request, to solicit status of the application as on date. After some time, after telephonic instructions, the learned APP submits that the Superintendent of Police has already decided the petitioner's application and has rejected it on 14.09.2022 and he would place on record a copy of the order. In view of this, we desist from taking cognizance of the contempt.

[ABHAY S. WAGHWASE, J.]

[MANGESH S. PATIL, J.]