

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

48 CRIMINAL WRIT PETITION NO. 1388 OF 2021

AJAY AMRUTLAL BORA
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS

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Advocate for Petitioner : Mr. Shaikh Mazhar A. Jahagirdar
APP for Respondent-State : Mr. S. S. Dande

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CORAM : V. K. JADHAV AND
SANDIPKUMAR. C. MORE, JJ.
DATED : 28th FEBRUARY, 2022

PER COURT:-

1. Learned APP, on instructions in writing from the Investigating Officer, submits that so far as the crime No. 532/2021 registered with Kotwali Police Station, Ahmednagar for the offence punishable under Section 380 of IPC against the unknown accused persons is concerned, the Investigating Officer has submitted 'A-summary' report before the Court and the Court has also accepted the said 'A-summary' report.

2. Learned APP submits that so far as the crime No. 835/2021 registered with Kotwali Police Station, Ahmednagar for the offence punishable under Sections 427, 447 r/w 34 of IPC, the Court has granted interim anticipatory bail to the persons accused in connection with the said crime and the investigation is going on.

3. In respect of crime No. 810/2021 registered with Kotwali Police Station, Ahmednagar for the offence punishable under Sections 323, 341, 504, 506 r/w 34 of IPC, learned APP submits that the charge-sheet is submitted on 24.12.2021 before the Court and the next date is 21.03.2022.

4. So far as crime No. 810/2021 registered with Kotwali Police Station, Ahmednagar for the offence punishable under Sections 323, 341, 504, 506 r/w 34 of IPC is concerned, since the charge-sheet is filed, the petitioner is at liberty to file an application before the trial court seeking directions for further investigation into the crime, if so desired.

5. Similarly, in connection with crime No. 532/2021, if the Investigating Officer has submitted the 'A-summary' report and the Court has accepted the same, the petitioner is at liberty to take recourse to the provisions of law to challenge the said order, if so desired.

6. So far as crime No. 835/2021, wherein the Court has granted interim anticipatory bail to the accused persons in connection thereto, the petitioner is at liberty to contest the said criminal application seeking anticipatory bail before the Court below.

7. Learned counsel for the petitioner submits that during pendency of this criminal writ petition, the fourth crime came to be registered bearing crime no. 107/2022 with Kotwali Police Station, Ahmednagar for the offence punishable under Sections, 143, 147, 148, 149, 323, 324, 504, 506 of IPC a/w the provisions of the Arms Act.

8. So far as this fourth crime (crime No.107/2022) is concerned, the petitioner is at liberty to file a writ petition or an application for directions, if so desired.

9. Learned counsel for the petitioner has pointed out that the petitioner has filed an application on 05.08.2021 to the Superintendent of Police, Ahmednagar for protection, however, the said application is still pending. We direct respondent no.4 to decide the pending application filed by the petitioner seeking protection as expeditiously as possibly, preferably within a period of two weeks from the date of receipt of this order.

10. The Criminal Writ Petition is accordingly disposed off.

(SANDIPKUMAR C. MORE, J.)

(V. K. JADHAV, J.)