

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
CRIMINAL WRIT PETITION NO. 3678 OF 2021**

Ganpat Premchand Chaudhary ... Petitioner

Versus

The State of Maharashtra and others ... Respondents

.....

Mr. R.R. Tripathi for the Petitioner.

Mr. J.P. Yagnik, APP for the State.

Mr. S.B. Barela, API, Bhiwandi City Police Station.

.....

**CORAM : NITIN JAMDAR AND
 N.R. BORKAR, JJ.**

DATED : 28 JUNE 2022

P.C. :-

Heard learned Counsel for the parties.

2. The Petitioner has made diverse prayers in this Petition, however, has restricted the Petition to prayer clause (b) during the argument, which is recording the supplementary statement of the Petitioner who has lodged the FIR dated 31 July 2020 in C.R. No.246 of 2020.

3. The learned Counsel for the Petitioner submits that the Petitioner was brutally assaulted on head and the narration in the FIR

stated to be given by the Petitioner is incomplete.

4. The learned APP on instructions states that charge-sheet has been filed and unless the Court directs it is not possible for the prosecution to record the statement of the Petitioner again.

5. Having considered the facts and circumstances, we are of the opinion that the supplementary statement of the Petitioner be recorded by the prosecution agency. Order accordingly.

6. The legal consequences from recording the additional statement would follow.

7. The Writ Petition is according disposed of.

(N.R. BORKAR, J.)

(NITIN JAMDAR, J.)

KANCHAN
PRASHANT
DHURI

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