

IN THE HIGH COURT OF JUDICATURE AT BOMBAY**CRIMINAL APPELLATE JURISDICTION****CRIMINAL WRIT PETITION NO. 5804 OF 2021**

Mohd. Salim Nazir Khan

.....Petitioner

Vs.

The State Of Maharashtra

.....Respondent

None for the Petitioner.

Ms. J.S. Lohakare APP, for the Respondent-State.

Mr. M.R. Pandey, API, Talegaon Dabhade MIDC Police Station.

**CORAM : A. S. GADKARI AND
MILIND N. JADHAV, JJ.
DATE : 18th NOVEMBER, 2022.**

P.C.:-

It is the grievance of Petitioner that, though the Investigating Officer in Crime No.78 of 2018, registered with Talegaon Dabhade MIDC Police Station, Pimpri-Chinchawad Commissionerate at the time of carrying out search and seizure, seized his Aadhar Card, Pan Card, Mobile Sim Card, Phone Diary and ATM Card, the same are not part of charge-sheet and may be returned to him. He has prayed that, as he has not received copy of the charge sheet, it may be given to him.

2) Ms. Lohakare, learned APP on instructions from Mr. Pandey, Assistant Police Inspector, Talegaon Dabhade MIDC Police Station, District Pune submitted that, at the time of arrest of Petitioner, one mobile phone of EDGE company of E-66 model along with two sim cards have been seized

by Police. Apart from this, the police did not seize any of the articles as claimed by the Petitioner. The said seizure Panchanama is part of the charge-sheet.

In view thereof, *prima facie* we find that the grievance of the Petitioner to that extent does not survive.

3) As far as the grievance of the Petitioner that, he has not received copy of the charge-sheet till today is concerned, we direct the Investigating Officer or any other responsible Officer attached to Talegaon Dabhade MIDC Police Station, District Pune to serve a complete compilation of charge-sheet to the Petitioner who is presently lodged in Yerwada Central Prison, if not earlier served upon him, within a period of three weeks from today.

Petition is partly allowed in the aforesaid terms.

(MILIND N. JADHAV, J.)

(A.S. GADKARI, J.)

SANJIV
SHARNAPPA
MASHALKAR

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by SANJIV
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