

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
WRIT PETITION 4225 OF 2019**

Sayyed Ahmed Shah S/o. Shri Firok ShahPetitioner
Versus
The State of MaharashtraRespondent

Mr. Sanjeev Kadam i/b. Ms. Prabha Uday Badadane, Advocate for the Petitioner.
Ms. M. M. Deshmukh, APP for the State.
Mr. Ganesh Kekane, API, Navghar Police Station, Thane is present.

**CORAM : PRASANNA B. VARALE &
N. R. BORKAR, JJ.**

DATE : 4th OCTOBER, 2022.

P.C. :

1. The grievance raised in the petition relates to a very unfortunate situation. It is submitted before this Court that FIR No.I-167 of 2012 was lodged on 8th August, 2012 at Navghar Police Station, District Thane, for the offences punishable under Sections 420, 463, 465, 488 and 471 read with Section 34 of the Indian Penal Code, 1860, against five accused persons. After registration of the FIR, there was no progress in the investigation for 7 long years and this inordinate delay prompted the petitioner to approach this Court seeking directions. The matter was listed before this Court on various dates. It was listed before this Court on 29th September, 2022. By making reference to earlier order

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dated 26th February, 2020, an order was passed by this Court, whereby learned APP was granted last chance to take instructions. Ms. Deshmukh, learned APP, on instructions, fairly submitted before this Court that the situation is not really a very welcome situation. Learned APP also submitted that she is in no way justifying the inordinate delay but now as per instructions received by her through senior police official, a charge-sheet would be filed before the competent court within three weeks from today. The statement of learned APP is accepted as an undertaking to this Court.

2. In view of the above statement, the grievance raised in the petition would no more survive. Learned counsel for the petitioner accepts this position. Thus, by accepting the statement of the learned APP as an undertaking to this Court, the petition is disposed of.

3. List the petition under the caption "For Compliance" on **9th November, 2022.**

(N. R. BORKAR, J.)

(PRASANNA B. VARALE, J.)