

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY,
NAGPUR BENCH, AT NAGPUR.**

CRIMINAL WRIT PETITION NO. 754 OF 2016

(Shri Gautam s/o Nagorao Khadatkar and another ..vs.. State of Maharashtra, through Commissioner of Police, Nagpur and others)

Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's orders

Court's or Judge's orders

None for the petitioners,
Mr. M.K. Pathan, Addl.P.P. for the respondents/State.

**CORAM : ROHIT B. DEO &
URMILA JOSHI-PHALKE, JJ.**
DATED : 09-11-2022

None appears on behalf of the petitioners.

2. None appeared on behalf of the petitioners even on the last date of hearing.

3. However, considering the prayer in the petition to direct the respondents to search the kidnapped couple Atul Vaidya and Vandana Vaidya and to rescue them from the custody of the builder, we requested the learned Additional Public Prosecutor Mr. M.K. Pathan to apprise us about the status of the first information report registered under Section 302 of the Indian Penal Code. This request was made in the backdrop of the submission of the learned Additional Public Prosecutor Mr. M.K. Pathan that nothing survives in the petition since the police have registered offence under Section 302 of the Indian Penal Code and the culprits are duly arrested.

2. Today we are informed that the offence is registered under Section 302 of the Indian Penal Code way back in 2016, after the completion of the investigation, as many as eight accused are charge-sheeted and till the breakout of the Covid-19 Pandemic the accused were in judicial custody.

3. Considering the grievance as is discernible from the prayer clause, we find no propriety in keeping the petition pending, and the same is disposed of.

(URMILA JOSHI-PHALKE, J.)

(ROHIT B. DEO, J.)

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