

**IN THE HIGH COURT OF JUDICATURE OF BOMBAY**  
**BENCH AT AURANGABAD**

**79 ANTICIPATORY BAIL APPLICATION NO.1212 OF 2023**  
**WITH APPLN/2878/2023 IN ABA/1212/2023**

KIRAN SHIVAJI KATE  
VERSUS  
THE STATE OF MAHARASHTRA AND ANOTHER

...  
Advocate for Applicant : Mr. Joydeep Chatterji  
APP for Respondent – State : Mr. V.S. Badakh  
Advocate for Assist to PP : Mr. Narayan B. Narwade

...

**CORAM : R. M. JOSHI, J.**  
**DATE : AUGUST 7, 2023**

**PER COURT :**

. Mr. N.B. Narwade, the learned counsel states that he has instructions to appear on behalf of the informant and he be permitted to assist the learned APP.

2. Permission granted.

3. Learned counsel for the victim states that since the applicant is a police personnel, his complaints made to the police were not entertained. In order to support his submissions, he placed reliance on photocopy of the complaint dated 10.04.2023 which shows the acknowledgment of the office of the Superintendent of Police, Ahmednagar.

4. Learned APP was questioned as to what is the investigation done by the Investigating Officer with regard to the complaints of the informant, on the basis of the material on record it is sought to be argued that the victim has mental disorder and was under medical treatment. There is *prima facie* material placed on record by the victim to show that at least on 10.04.2023 he had been to Superintendent of Police, Ahmednagar. This Court finds substance in his contention that only because the applicant is police personnel, no proper investigation has been done. Hence, Superintendent of Police, Ahmednagar to depute another Investigating Officer to investigate into this crime.

5. Stand over to 22.08.2023.

**[ R. M. JOSHI ]**  
**JUDGE**

GGP