

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

CRIMINAL APPLICATION (APL) NO. 1657 OF 2022

Sajid @ Rajju Salim Sayani and another

.Vs.

State of Maharashtra, through PSO of PS Awadhutwadi Dist. Yavatmal

Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions Court's or Judge's orders.
and Registrar's Orders.

Mr Vijay Hamand, Advocate h/f Shri P.W. Mirza, Advocate
for the applicants
Mrs. Mayuri Deshmukh, APP for the State.

CORAM: G.A. SANAP, J.

DATE : 03.04.2023

Advocate for the applicants is absent. Shri Vijay Hamand, holding Advocate for the applicants makes a request for adjournment.

2. In my view, considering the nature of the order challenged in this application, it would not be appropriate to adjourn the matter. The order challenged is dated 12.12.2022 whereby the applicant/accused were remanded to custody till 20.12.2022.

3. According to the case of prosecution, the crime under Sections 307, 384, 143, 147, 148, 149, 506, 120(B) of the Indian Penal Code r/w sections 3, 25, 27,

35 Arms Act r/w section 135 of the Bombay Police Act and r/w Section 3(1)(II), 3(2), 3(4) of the Maharashtra Control of Organized Crime Act, 1999 has been registered against the accused.

4. It is stated that for the purpose of investigation after hearing both the parties, the learned Special Judge was inclined to grant the police custody. The purpose of police custody was over on 20.12.2022. Now the applicants are in Magistrate custody.

5. Learned APP submits that the charge sheet has not yet been filed. Investigation is in progress. Learned APP submits that since the period of police custody was over on 20.12.2022. This petition has become infructuous.

6. On going through the record and proceedings and particularly in view of facts that police custody period was over on 20.12.2022, this application has become infructuous.

7. Accordingly, the application stands disposed of as being infructuous.

(G. A. SANAP, J.)