



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

960 CRIMINAL WRIT PETITION NO. 827 OF 2024

FARUKPASHA BASHUMIYA SHAIKH
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS

...
Mr. Farukpasha Bashumiya Shaikh Advocate, Petitioner
present party-in-person.
Mr. N.R. Dayama, A.P.P. for Resp. Nos. 1 to 6.
...

CORAM: SMT. VIBHA KANKANWADI AND
ABHAY S. WAGHWASE, JJ.

DATE : 14th AUGUST, 2024

ORDER :

1. Heard the party-in-person, the petitioner. By this Petition, he has prayed that the directions be given to respondents to conduct C.I.D. Enquiry by reinvestigation. However, it is to be noted that the investigation is over and charge-sheet is already filed bearing R.C.C. No.506 of 2024 before the learned Chief Judicial Magistrate, Latur. Under such circumstance, reinvestigation cannot be ordered. However, he points out that an application was filed by him before the learned Magistrate on 24th July 2024 regarding deletion of serious offences at the time

of filing of the charge-sheet. It appears that the notice was issued to the investigating officer.

2. Learned APP, on instructions, makes a statement that say to the said application would be filed by the investigating officer on 26th August 2024. Next date in the matter is said to be 31st August 2024.

3. Taking into consideration the said statement, which is taken as undertaking, the Petition stands disposed of with direction to the investigating officer to file say on 26th August 2024. We clarify that the learned Chief Judicial Magistrate to take the decision on the application as per its own merits.

[ABHAY S. WAGHWASE]
JUDGE

[SMT. VIBHA KANKANWADI]
JUDGE

asb/AUG24