

Pdp

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION**

PUBLIC INTEREST LITIGATION NO. 16 OF 2024

Basavraj Shamrao Koli

.. Petitioner

Versus

The State of Maharashtra & Ors.

.. Respondents

Mr. I. M. Khairdi for petitioner.

Mr. Ajay S. Patil, APP for respondents-State.

**CORAM: DEVENDRA KUMAR UPADHYAYA, CJ. &
M. M. SATHAYE, J.**

DATE: 25th SEPTEMBER, 2024

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P.C.:

- 1.** Heard the learned counsel for the petitioner and learned APP representing the State-respondents.
- 2.** By this petition ostensibly filed in public interest, a prayer has been made for issuing a direction to the respondent nos.1 and 2, namely, the State of Maharashtra and the Director General of Police to investigate and take action in respect of an incident which is the subject matter of two FIRs, i.e., FIR No. 171 of 2023 and FIR No. 447 of 2023 registered with Sadar Bazar Police Station, Solapur.
- 3.** It has been informed by the learned APP that so far as FIR No. 171 of 2023 is concerned, investigation by the investigating agency has been completed and accordingly a report under Section 173 of the Code of Criminal Procedure

has been filed before the Court concerned. As regards, FIR No. 447 of 2023, learned counsel for the petitioner informs that the investigation in respect of the said FIR is still under progress.

4. Since in respect of first FIR, investigation has been completed and a report under Section 173 of the Cr.P.C. has been filed and the other FIR is still under investigation, any direction, as is being sought by the petitioner in this PIL petition, would amount to interference in the investigation which is otherwise the statutory duty and function of the police authority/investigating agency.

5. For the aforesaid reasons, we decline to exercise our jurisdiction under Article 226 of the Constitution of India to make any interference in this PIL petition.

6. The PIL petition, being devoid of merit, is hereby dismissed.

(M. M. SATHAYE, J.)

(CHIEF JUSTICE)