

IN THE HIGH COURT OF JUDICATURE AT BOMBAY**CRIMINAL APPELLATE JURISDICTION****CRIMINAL WRIT PETITION NO. 4528 OF 2017**

Bhagwat Ramchandra Shinde & Anr.

... Petitioners

V/s.

The State of Maharashtra & Anr.

... Respondents

Mr. Rahul S. Kate for Petitioners.

Mr. S.V. Gavand, A.P.P. for Respondent No.1-State.

PSI Mr. P.M. Gavande, attached to Indapur Police Station, present.

**CORAM : A. S. GADKARI AND
SHYAM C. CHANDAK, JJ.**

DATE : 15th APRIL 2024

P.C. :

(1) In pursuance of Order dated 26th February, 2024, Mr. Pankaj A. Deshmukh, the Superintendent of Police, Pune Rural, has filed an Affidavit dated 14th April, 2024. In the said Affidavit, he has opined that, there are two eye witnesses, who have supported the case of the first informant. That, in the circumstances, there was absolutely no scope for submitting 'A-Summary Report' in this matter, as the informant and witnesses have mentioned the names of the accused and he is not in a position to justify the said report in any manner. It is further stated that, appropriate inquiry will be conducted by an Officer deputed by him and responsibility will be fixed on the erring Officials accordingly.

(1.1) He has further stated that, he has directed the Assistant Police

Inspector, Yogesh Langute of local Crime Branch, Pune Rural, to continue with the investigation of the present crime and to complete it in impartial manner, without having any regard to the said 'A-Summary Report'.

(2) The statements made by the Superintendent of Police, Pune Rural, in his Affidavit dated 14th April, 2024, are accepted.

(3) In view of the above, learned Advocate for Petitioners on instructions, seeks leave to withdraw the Petition with liberty to file an application for discharge, if the Police submits charge sheet in the present case.

Leave and liberty granted.

(5) Disposed off as withdrawn with aforesaid liberty.

(SHYAM C. CHANDAK, J.)

(A.S. GADKARI, J.)

RAJESH
VASANT
CHITTEWAN

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