

IN THE HIGH COURT OF JUDICATURE AT BOMBAY**CRIMINAL APPELLATE JURISDICTION****CRIMINAL WRIT PETITION NO. 1905 OF 2024**

Arsalan Salil Shaikh And Ors.

... Petitioners

V/s.

The State of Maharashtra & Ors.

... Respondents

Mr. Zeeshan Siddique through Video Conferencing a/w Ms. Zubi Ansari,
Mr. Mohsin Yasin Khan, Mr. Hashim T. Ansari, Mr. Iliyas Deshmukh and
Mrs. Naseembanu I. Deshmukh for Petitioners.

Mr. Anand Shalgaonkar, A.P.P. for Respondent No.1-State.

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

DATE : 10th May 2024.

P.C. :

(1) Learned A.P.P. on instructions from Police Sub-Inspector Ms. Pooja Chavan, attached to Khopoli Police Station, District Raigad, submitted that, after completion of investigation of present crime, the Police have filed chargesheet in the Court of Judicial Magistrate First Class, Khalapur, District Raigad and the said case is numbered as R.C.C. No.63 of 2024.

(2) In view thereof, the Petitioners are having alternate remedy under the provisions of the Criminal Procedure Code before the trial Court.

(3) In view of the above, prayer clauses (b), (c) and (d) of the Petition, do not survive. By reserving the said remedy in favour of the Petitioners, the Petition is disposed off as far as prayer Clauses (b), (c) and

(d) are concerned.

(4) Asfar as prayer Clause (e) is concerned, it is the contention of the learned Advocate for the Petitioners that, the Petitioners were illegally detained for more than 12 yours in the police station without complying with the necessary directions issued by the Hon'ble Supreme Court in the case of *D.K. Basu Vs. State of West Bengal, reported in A.I.R. 1997 S.C. 610*.

(5) In view thereof, the Petition survives with respect to the prayer clause (e) only.

(6) Learned A.P.P seeks time to file a brief reply.

(7) At his request, stand over to 19th July, 2024.

(SHYAM C. CHANDAK, J.)

(A.S. GADKARI, J.)

RAJESH
VASANT
CHITTEWAN

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