

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

**INTERIM APPLICATION NO.3735 OF 2024
IN
CRIMINAL APPLICATION NO.38 OF 2023**

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Kamladevi Rupchand Jaiswar ..Applicant
Versus
The State of Maharashtra & Anr. ..Respondents

Mr. Rutvij Solanki, for the Applicant.
Mr. Prasanna P. Malshe, APP for the Respondent/State.
Mr. Dipak Yadav, PSI, Ulhasnagar Police Station – present.

CORAM : MANISH PITALE, J.

DATE : 19th SEPTEMBER, 2024

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1. By this Application, the Applicant (first informant) is seeking a specific direction against the Respondent No.1/State to take necessary steps to comply with the directions issued by this Court in the order dated 11.07.2024. By the said order, this Court had cancelled the bail of Respondent No.2 (accused) and he was directed to surrender within one week of the said order, failing which the police were directed to take him into custody.

2. Learned counsel for the Applicant reports that till date the Respondent No.2 has not been arrested. It is stated that according to the Applicant, the Respondent No.2 was seen in the vicinity even three days ago i.e. on 16.09.2024. Learned counsel for

the Applicant on instructions makes a specific allegation against the concerned police officers about their failure to take necessary steps in the matter, despite the positive directions issued by this Court.

3. This Court is of the opinion that in the light of the specific directions issued by this Court in the order dated 11.07.2024, the police are expected to act with alacrity and ensure that the Respondent No.2 is taken into custody, as he failed to surrender within the time period granted by this Court.

4. This Court directs the officers attached to the concerned police station to take immediate steps to take Respondent No.2 into custody, as a consequence of the directions issued by this Court in the order dated 11.07.2024. This is a serious matter and this Court expects the concerned police officers to act with a sense of urgency and report back to this Court about the arrest of Respondent No.2 on or before the next date of listing.

5. List this Application for further consideration on 3rd October, 2024, to be included in the Supplementary List.

(MANISH PITALE, J.)