



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH : NAGPUR

CRIMINAL WRIT PETITION NO. 95/2022

Mrs. Vasantmala W/o. Ram Khobragade and Ors.

Vs.

State of Maharashtra

Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's orders

Court's or Judge's orders

Ms S. M. Tripathi, Advocate for Petitioners.
Mr. M. K. Pathan, A.P.P. for Respondent Nos.1 to 3/State.

CORAM : NITIN W. SAMBRE AND
MRS.VRUSHALI V. JOSHI, JJ.

DATED : 12/12/2024.

. We have heard the learned Counsel for the petitioners.

2. The petitioners have moved the following prayers :

"It is, therefore, prayed that this Hon'ble Court may be pleased to grant this Petition and accordingly pass the order directing :-

i) the Superintendent of Police, Chandrapur (State of Maharashtra) for his/her permission U/s. 197 of the Code of Criminal Procedure 1973 for prosecution of PSI P. D. Mankar U/s. 218 and 219 of IPC at the earliest possible;

ia) The Secretary to the Government of Maharashtra, State Home Ministry, Dept. of Home Affairs, Mantralaya, Mumbai.

ib) The Director General of Police, Maharashtra State, Mumbai and

ii) any other relief as the Hon'ble Court deems fit and in favour of the Petitioner."

3. An affidavit is placed on the record which is duly sworn by the Additional Superintendent of Police, Chandrapur wherein it is informed to the petitioners that the Competent Authority has rejected the permission sought by the petitioners to prosecute the public servant viz. Police Officer.

4. That being so, in view of the aforesaid subsequent development, the petition is not pressed. It is disposed of as such.

5. The petitioners are at liberty to question the order refusing the permission to prosecute the public servant.

6. Needless to clarify, we have not examined the merits of this case.

(MRS. VRUSHALI V. JOSHI, J.) (NITIN W. SAMBRE, J.)