



IN THE HIGH COURT OF JUDICATURE AT BOMBAY  
BENCH AT AURANGABAD

CRIMINAL WRIT PETITION NO. 48 OF 2025

Pravinkumar @ Pravin S/o Anilkumar Jaiswal  
Versus  
The State Of Maharashtra And Others

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Adv. Azhar Baig h/f. Adv. R. T. Wakale, Advocate for the Petitioner  
Mr. V. K. Kotecha, APP for Respondent/s – State

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CORAM : SMT. VIBHA KANKANWADI &  
SANJAY A. DESHMUKH, JJ.  
DATE : 7<sup>th</sup> MAY, 2025

**ORDER :**

1. In view of our order dated 08.04.2025, learned APP got the police papers and submitted it for our perusal. From the bunch of documents produced, it appears that the investigation is going on. The investigation done up till now, has been summarised in the report. The copies of the communications relating to the First Information Report have been collected. It is then stated that there is *prima facie* evidence regarding the acts on the part of the School Authority of keeping the students like the son of the informant away from the education and further investigation in that respect is rejected.

2. In the writ petition, the applicant has prayed for issuing writ or order directing respondent no. 2 to investigate the crime and prayer

clause (C) is similar to prayer clause (B). When the investigation is in progress, it need not be aborted. On what basis the informant has made statements that the statements of witnesses have not been recorded is not explained. Unless there is a reason to arrest, there cannot be an arrest of any accused. Accused cannot be arrested merely for the satisfaction of the informant. Further, the informant cannot enter into the arena of an advisor to the investigating agency as to how the investigation should be carried out.

3. The decision of whose statement is to be recorded is also within the prerogative of the Investigating Officer. Therefore, to satisfy ourselves as to whether the investigation is going on or not, we had called for the papers and accordingly, it appears from the papers that the the investigation is in progress.

4. No necessity to issue any writ in that respect now and therefore, we dispose of the writ petition with direction to the Investigating Officer to continue investigation in the matter.

[ SANJAY A. DESHMUKH ]  
JUDGE

[ SMT. VIBHA KANKANWADI ]  
JUDGE

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