



IN THE HIGH COURT OF JUDICATURE AT BOMBAY,
BENCH AT AURANGABAD.

64 CRIMINAL WRIT PETITION NO. 359 OF 2023

SHAIKH MOIZ SHAIKH MOIN
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS

...
APP for Respondent/State : Mr.S.A. Gaikwad

...
**CORAM : SMT. VIBHA KANKANWADI AND
ROHIT W.JOSHI, JJ.**

DATE : 8th JANUARY, 2025.

P.C.:

. Learned advocate for the petitioner is absent. The petition was filed for directing the respondent authorities to conduct further investigation in C.R. No.81/2022 registered with City Chowk Police Station, Aurangabad and take necessary steps for recovery of weapon and thereafter file supplementary charge-sheet.

2. Though learned advocate for the petitioner is absent, we have gone through the petition as well as the annexures thereto. Upon investigation, the investigating Agency has come to the conclusion that the weapon that was used for committing offence/inflicting injury i.e. iron rod is stated to have been destroyed by the accused persons, and therefore, Section 201 of the Indian Penal Code has been added. Under the said circumstance, there is no question of direction of further investigation. No malafides have been attributed by the petitioner as

against the Investigating Officer. Hence, the case is not made out for exercising powers under Article 226 of the Constitution of India. The petition stands dismissed.

[ROHIT W. JOSHI]
JUDGE

[SMT. VIBHA KANKANWADI]
JUDGE

sga