



IN THE HIGH COURT OF JUDICATURE AT BOMBAY  
BENCH AT AURANGABAD

6 CRIMINAL WRIT PETITION NO.1046 OF 2024

Rukminibai Ramrao Pawar  
Age 60 yrs., Occ. Household,  
R/o Sao, Tq. & Dist. Buldhana.

... Petitioner

... **Versus** ...

- 1 The State of Maharashtra
- 2 The Special Police Inspector General,  
State Reserve Police Force, Nagpur.
- 3 The Director General of Police,  
State Reserve Police Force, Mumbai.
- 4 State Reserve Police Force GR-14,  
Aurangabad, Satara Parisar,  
Aurangabad.

... Respondents

...

Mr. Tarek Mobin H. Shaikh, Advocate for petitioner

Mr. S.A. Gaikwad, APP for respondent Nos.1 to 4

...

CORAM : SMT. VIBHA KANKANWADI &  
SANJAY A. DESHMUKH, JJ.

DATE : 09<sup>th</sup> APRIL, 2025

**ORDER :**    ( PER : SMT. VIBHA KANKANWADI, J. )

1            Present Criminal Writ Petition has been filed for giving directions to respondents to take appropriate action on complaints dated 18.04.2022 and 05.09.2022 and to decide those complaints and investigate based upon the complaints.

2            Heard learned Advocate Mr. Tarek Mobin H. Shaikh for petitioner and learned APP Mr. S.A. Gaikwad for respondent Nos.1 to 4.

3            In view of our order dated 26.03.2025 learned APP has produced present status about missing report by Police Sub Inspector, Mahatma Phule Chowk Police Station, Kalyan, Dist. Thane. It is taken on record by marking Exh. 'X'.

4            Perused the same and first thing that has to be noted is that the missing person went missing since 12.00 noon on 16.05.2017. He was employed with State Reserve Police Force and was posted in Kalyan. The petitioner is the mother of said missing person. In the report Exh. 'X' it is stated that when the missing report was given by Police Inspector, State Reserve Police Force, Batalian No.14, Aurangabad Camp at Kalyan, the entire procedure is then stated to be adopted regarding publication of the missing in

Police Station and also on the website of Police Department in respect of the person who went missing. At various places the inquiry appears to have been done. Inquiry near the place where the missing was staying has been done. Statements of witnesses around him are also recorded. It appears that the missing has a daughter, who was then aged 03 years and then it is alleged that the wife of missing had an extra marital affair with a person since prior to the marriage and by leaving the missing person she went along with the other person. According to the learned Advocate for petitioner inquiry was made even in respect of wife and her so called lover, but it is an eyewash. The petitioner is suspecting that those two persons might have eliminated the missing person. Here, we have taken note of as to what has been done by the Police up till now. We are appreciating the sentiments of mother when her young son goes missing under the circumstance that his wife had an extra marital affair and it appears that in all two daughters were left. It has come on record that the missing was addicted to liquor and his consumption of liquor had gone up before he went missing. Even after he had joined the duties after the ailment of the younger daughter, it appears that his colleagues have stated that there was mental imbalance of the missing person and he used to be under influence of liquor. He used to enter anybody's house in police line under the said situation. Now, efforts have been made to trace out the missing, however, even after seven years when he could not be

found, the concerned procedure has given closure report to the superior.

5            Now, taking into consideration the prayers only on the basis of some suspicion it will not be appropriate to give directions to the police authorities, even to take cognizance of the complaints, which have been filed in the year 2022 and not even prior to that. Therefore, we **dispose of** the writ petition as not a fit case where we can exercise our powers.

( SANJAY A. DESHMUKH, J. )

( SMT. VIBHA KANKANWADI, J. )

agd