

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

**INTERIM APPLICATION NO. 4454 OF 2022
IN
CRIMINAL APPLICATION (ST) NO. 21757 OF 2022**

Vishwanath Chandrakant Karbhari ... Applicant
Versus
Mahadev Ramchandra Hulkunde and Anr. ... Respondents

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Ms. Mahalakshmi Dakshinamurthy a/w Mr. Sachinkumar
Rajepandhare, for the Applicant.

Mr. Mahesh S. Arjun i/b Vikrant V. Phatate, for the Respondent
No.1.

Mr. P. H. Gaikwad, APP, for the Respondent No.2-State.

.....

CORAM : PRITHVIRAJ K. CHAVAN, J.

DATED : 6th FEBRUARY, 2025.

P.C.

On 16th January, 2025, the Commissioner of Police, Pune, was directed to render proper assistance to the applicant to serve the respondent No.1, who is serving as Police Sub Inspector in the State Reserve Police of Maharashtra and to report compliance.

2 It was submitted before this Court on the last date that the

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PATIL**

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respondent No.1 was avoiding service and was extending threats to the applicant. During the first half session, there was no compliance from the Commissioner of Police, Pune. Learned APP Mr. Gaikwad sought some time to ensure compliance of the said directions.ttt

3 Now, at 2:50 p.m. the learned APP has tendered a photostat copy of a report of today's date, which is signed by one Ganesh Ingale, Assistant Police Commissioner, Crime-I, Pune City and not by the Police Commissioner, Pune, stating therein that notice has been served upon the respondent No.1 and his statement was recorded. Another piece of paper in the form of xerox copy of the statement of the said Mahadev Ramchandra Hulkunde is tendered along with communication dated 6th February, 2025. The statement is recorded in a haphazard manner. It is not clear that twho has recorded and whose signature is beneath the statement of Mahadev Ramchandra Hulkunde. Be that as it may.

4 The Commissioner of Police has not complied with the directions issued by this Court which is *prima facie* a contempt of this Court, which has been clearly stated in the communication

made by the Assistant Registrar of this Court dated 28th January, 2025. The limitation for initiating a contempt is one year. However, I restrain from taking further steps for non compliance of the order by the Commissioner of Police, Pune. However, he is warned to be careful in future and should not act in a casual way while complying with the directions of the Court, that too, a constitutional Court in such a manner.

5 Registry is directed to forthwith communicate this order to the Commissioner of Police, Pune.

6 Heard learned Counsel for the applicant and respondent No.1.

7 For the reasons stated in the application, the delay of 91 days is condoned.

8 Application is disposed of.

[PRITHVIRAJ K. CHAVAN, J.]