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IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL WRIT PETITION NO.2084 OF 2024

Prabhakar Laccha Shetty & Anr.

..Petitioners

Vs

The State of Maharashtra & Anr.

..Respondent

Mr. Amod Ekklapur a/w. Mr. Yogesh A. Gaikwad i/b. M/s. Bilawala & Co. for
Petitioner.

Mr. Ajay Patil, APP for Respondent No.1-State.

Mr. Niranjan Mundargi a/w. Mr. Abhishek Adke for Respondent No.2.

Mr. Swapnil Kadam, API, Kashimira Police Station, Thane.

**CORAM : A. S. GADKARI AND
RAJESH S. PATIL, JJ.**

DATE : 12th AUGUST, 2025.

PC:-

1) One of the allegations against the Petitioners in the present crime is that, the Petitioners committed forgery of a document, namely an Agreement of Conducting business, dated 12th July 2019 and the same was presented/used in Regular Civil Suit No. 356 of 2022, pending on the file of the Civil Judge (J.D.), Thane, at Thane.

2) Perusal of record of investigation indicates that, the Investigating Officer has addressed a letter-cum-requisition dated 4th October 2024, to the Civil Court at Thane, thereby requesting to give a certified copy of the said Agreement filed in Regular Civil Suit No.356 of 2022, before the Civil Court, at Thane. Necessary charges for getting the

certified copy of the said Agreement are also paid on 7th October 2024. The Nazir of the concerned Court has issued a receipt in that behalf.

3) Today the Petition is taken up for hearing. During the course of hearing, upon a query by the Court, it was informed by learned APP that, till date, the Registry of the concerned Civil Court at Thane has not supplied/given certified copy of the said document to the Investigating Officer and therefore the Investigating Officer could not complete the investigation by recording his final conclusion.

4) We are unable to accept a situation where an Application made by the Investigating Officer with the Registry of the Civil Court for getting the certified copy of the document required for the purpose of investigation, is not provided to the Investigating Agency in last more than ten months.

5) We therefore direct the Registrar General of this Court to conduct an in-depth enquiry into the said aspect and submit a detailed report in that behalf on or before the next date.

5.1) The said enquiry be conducted within a period of two weeks from today.

6) Stand over to 2nd September 2025.

7) To be listed under the caption 'For Directions'.

(RAJESH S. PATIL, J.)

(A.S. GADKARI, J.)