

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
CRIMINAL WRIT PETITION NO. 4107 OF 2024
WITH
INTERIM APPLICATION (ST) NO. 22062 OF 2024
IN
CRIMINAL WRIT PETITION NO. 4107 OF 2024

Anna Maruti Shinde

...Petitioner/Applicant

Versus

The State of Maharashtra

...Respondent

Mr. Amit Katarnaware for the Petitioner/Applicant.

Mr. H.S.Venegavkar, P.P a/w Mrs.P.P.Shinde, A.P.P for the Respondent-State.

**CORAM : REVATI MOHITE DERE &
DR. NEELA GOKHALE, JJ.**
DATE : 20th JANUARY, 2025

P.C. :

1. On 18th November, 2024, we were informed by the Police that all documents pertaining to the case, would be submitted to the learned Magistrate conducting the inquiry under Section 193 and 196

of the Bharatiya Nagarik Suraksha Sanhita. Since some of the documents were not submitted by the Police, the learned Magistrate could not have completed the inquiry. The Police accordingly furnished all documents.

2. Today, the learned Magistrate has tendered his report in a sealed envelope i.e. the Inquiry Report into the cause of death of accused – Akshay Shinde. The said inquiry was conducted under Section 196 of the Bharatiya Nagarik Suraksha Sanhita. The said envelope is opened. It contains a report pertaining to the custodial death of accused - Akshay Anna Shinde. To the said report, are annexed statement of the witnesses, documents relied upon by the learned Magistrate in arriving at his conclusion.

3. We have perused the report sent by the learned Magistrate. The Magistrate has come to the conclusion that the five persons named in the report are responsible for the death of Akshay Shinde.

4. Considering the report, we deem it appropriate to direct the Registry to furnish only a copy of the said report on Mr. Venegavkar, learned P.P. as well as to Mr. Katarnaware who appears for the petitioner. A copy of the said report to be also kept on the file of the aforesaid petition. Mr. Venegavkar states that the Police will take appropriate steps, in accordance with law, keeping in mind the findings arrived at by the learned Magistrate.

5. Stand over to 3rd February, 2025.

6. The report after removing photocopies of the same, be kept back in a sealed envelope alongwith other documents.

DR. NEELA GOKHALE, J.

REVATI MOHITE DERE, J.