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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL WRIT PETITION NO. 2537 OF 2025

Haresh Lalji Bhalala

.. Petitioner

Versus

State Of Maharashtra And Ors

.. Respondents

Mr. Ayush Kedia a/w. Ms. Yagni Sarvankar, for the Petitioner.

Mr. S.V.Gavand, Addl.PP for the Respondent-State.

PI Sameer Ahirrao of Crime Branch Unit-2 Vasai MBVV Police
Commissionerate, present.

CORAM: RAVINDRA V. GHUGE
&
GAUTAM A. ANKHAD, JJ.

DATE: 12th AUGUST, 2025

P. C.

1. Considering the Order that we are passing by consent, we are not required to advert to the entire submissions of the parties. Suffice it to say that, voluminous record running into 550 pages is before us. Issue is to investigate the cause of an unnatural death of a young man around 22 years of age, who was known to be a hardworking student, and who had acquired admission in a Foreign Educational Institution.

2. On 7th July 2025, we had recorded in our Order as under:-

1. *We have heard the learned APP and the learned Advocate for the Petitioner at length, on 03.07.2025 and today. We have also perused the orders dated 10.11.2022 and 08.12.2022, passed by a Co-ordinate Bench of this Court in an earlier Criminal Writ Petition No.3893 of 2022.*

2. *Ex-facie, we are not satisfied with the submissions of the learned APP. There are several missing links in his theory supporting the purported case of suicidal death. A long sheet of cloth, resembling a bed sheet is termed as a bath towel to indicate that the deceased must have hung himself with the said towel.*

3. *Even in the earlier investigation prior to the transferring of the same to the Homicidal Investigation Unit of the Crime Branch of Mira-Bhayander Vasai-Virar Police Commissionerate, we had noted that the investigation had been done in a very – slip- shod manner. Bones are found to be outside the trouser and the shirt. There is no satisfactory explanation as to how did the bones of a dead person travel out of the clothing that he had put on.*

4. *With whatever investigation that has been done earlier by the Mandavi Police Station, followed by the Homicidal Investigation Unit which was under the orders of this Court, does not fully justify the claim of the Investigating Authority that the deceased committed suicide. The Forensic Laboratory examination report dated 14.12.2022, is placed before us which is as vague as it could be.*

5. *Before we form any opinion, we call upon the Homicidal Investigation Unit to submit a detailed report to this Court, on the basis of the investigation made. In fairness, after the report is received, we would call upon the learned Advocate for the Petitioner, who is the father of the deceased, to peruse the report and make further submissions. Let such report be tendered, as per the request of the learned APP, on or before 31.07.2025.*

6. It is made clear that this case would be dealt with on priority keeping in view that the deceased is said to have passed away approximately between 25.08.2022 and 27.08.2022.

7. List this Petition on 04.08.2025, in the fresh admissions category.

3. The learned APP submits on instructions from PI Shri. Sameer Ahirrao, who has been all along investigating this case, in the light of the missing complaint filed by the Petitioner (Father of the deceased) dated 27th August 2022, that if the Petitioner approaches the Mandvi Police Station, Virar, District-Palghar, within a period of 5 days, his statement would be recorded and based on the same, an FIR would be registered. The entire material that is collected by the Homicidal Investigating Unit, Crime Branch Mira-Bhayander, Vasai-Virar, would be utilised. The Petitioner would be at liberty to render assistance and co-operation and the crime would be investigated.

4. The learned APP submits that the investigating officer, who is functional in the Crime Branch Commissionerate of Mira-Bhayander Vasai-Virar, would take over the investigation.

5. The Petitioner is agreeable.

6. In view of the above, let the Petitioner reach the concerned Police Station on 14th August 2025, between 11.00 a.m. to 12.00 noon and record his statement.

7. By recording the above statements and in view of the directions, **this Petition is disposed off.**

8. While parting with this case, we record our appreciation for the assistance rendered by the learned Advocate for the Petitioner, and the learned APP Shri. Gavand, as also, the efforts put in by PI Shri.Samir Ahirrao, for pain-stakingly conducting the investigation, to the best of his ability.

[GAUTAM A. ANKHAD, J.]

[RAVINDRA V. GHUGE, J.]