



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH, NAGPUR

Criminal Writ Petition No.146 of 2024

Bharat Dalichand Jain

vs.

The Police Inspector, Railway Police Station, Gondia, Division Nagpur and others

*Office notes, Office Memoranda of
 Coram, appearances, Court's orders
 or directions and Registrar's orders.*

Court's or Judge's Orders

*Mr. P.M. Anjekar, Advocate for the Petitioner.
 Mr. S.S. Doifode, A.P.P. for Respondent Nos.1 & 3.
 Mr. P.V. Navlani, Advocate for Respondent No.2.*

CORAM : ANIL L. PANSARE & NIVEDITA P. MEHTA, JJ.

DATE : 14th JANUARY, 2026.

The Investigating Officer is present before the Court. The prayer in the petition is for re-investigation of the crime. In context with the above, on 11/11/2025, we had passed the following order:

“The learned A.P.P. submits that reply on behalf of respondent nos. 4 to 6 is ready and will be filed during the course of the day. Be filed.

2] *We have gone through previous orders to find that in the year 2016, there occurred theft of about three kilograms of gold, total amounting to Rs.80 Lakh approximately. During the course of investigation, it was revealed that thirteen persons were involved in the crime. The gold stolen was sold to three jewellers for Rs.33 Lakh. The cash was allegedly distributed amongst the accused persons. Neither the cash nor the jewellery is recovered. Chargesheet has been filed. The petitioner has approached this Court for re-investigating the crime and to handover the same to the special investigating agency – Criminal Investigation Department (CID)/Central Bureau of Investigation (CBI).*

3] *The learned A.P.P. submits that though chargesheet is filed, the investigation is now transferred to the Deputy Superintendent of Police, Nagpur (Railways). The investigation is so transferred because the gold ornaments, worth Rs.72 Lakh, are not recovered. When enquired as to what development occurred, the learned A.P.P. submits that the articles have been not yet recovered.*

4] *Thus, despite transferring the investigation to the Deputy Superintendent of Police, the status remains the same.*

5] *The Superintendent of Police, Nagpur (Railways), shall personally look into the matter, and file report as to why neither cash nor jewellery is recovered, despite arresting jewellers and couple of accused. The report shall be filed by 2/12/2025.*

6] *List on 3/12/2025."*

02. As could be seen, the investigation is now transferred to the Deputy Superintendent of Police, Nagpur Railway. The Investigating Officer has filed a report in response to the aforesaid order saying that the absconding accused could not be traced as yet. However, details of the immovable properties belonging to some of the accused are obtained and appropriate steps will be taken. Thus, it appears that the Investigating Agency is all set to take steps for issuance of proclamation and/or seized the properties of the absconding accused in accordance with the provisions of law.

03. That being so, the purpose of filing the petition is served. The petition is, accordingly, disposed of with liberty to the petitioner to approach the trial Court for seeking further relief, if any.

04. The learned A.P.P. shall file report to the Registry.

(Nivedita P. Mehta, J.)

(Anil L. Pansare, J.)

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