

JPP

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

**CRIMINAL APPLICATION NO. 551 OF 2016
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Mukeshkumar Prahalad Sunar (Soni) ... Applicant.

V/s.

The State of Maharashtra. ... Respondent.

Mr. Manish N. Jain & Manisha D. Karale h/f. S.M. Jain and Associates for the Applicant.

Mr. F.R. Shaikh, APP for Respondent – State.

**CORAM : B.P. Dharmadhikari and
Sarang V. Kotwal, JJ.**

DATE : 4 December 2018

P.C. :

Heard respective Counsel.

2. We find that on 10 March 2016, the Petitioner was informed about registration of offence vide Crime No. 9 of 2016 against him and he was called upon to remain present on 10 March 2016. While it appears from Station Diary entry of Ghatkopar Police Station that he was already in the Police Custody for that offence at 17.30 hours on 9 March 2016.

3. Contention of the Petitioner is he is maliciously implicated in false case under Section 411 of the Indian Penal Code.

4. This Court on 14 June 2016 passed an order and directed the Investigating Officer to remain present with file of investigation. Investigation was permitted to continue but charge-sheet was not to be filed. It appears that thereafter, there is no effective bearing in the matter.

5. Learned APP today is seeking time to contact Investigating Officer and to find out developments.

6. In this situation, Rule. Hearing expedited. Respondent to file reply, if any, within eight weeks.

(Sarang Kotwal, J.)

(B.P. Dharmadhikari, J.)