

ORDER ON REMAND APPLICATION NO.1127/2026
EXH.13 (Extn. of Police custody)

The accused no.3, 7 & 10 are produced before me at 1.00 p.m. On having asked whether they have any complaint of ill-treatment, accused no.7 & 10 have not made any complaint, however, the accused no. 3 has made the complaint that he is assaulted by a police officer namely Shri Patil during the custody. In view of such complaint of ill-treatment, it would be necessary to see the medical reports of the accused as he was in police custody since 11.08.2026 with direction to conduct his medical examination every 48 hours. The IO has produced the medical examination reports of all the three accused which show that they have been medically examined as per the directions in Bhabha Hospital. Such medical reports does not reveal any injury or signs of ill-treatment during their police custody period.

2. The accused no.3 is examined in Bhabha Hospital on 13.8.2026 at 10.49 p.m. and even such report does not reveal any injury or marks of ill-treatment. Moreover, the other two accused i.e. accused no.7 & 10 have not made any complaint of ill-treatment by police before Court.

3. On the other hand, on production of accused, the Ld. Counsel for accused has moved an application Exh.15 with prayers for medical examination of accused persons at J.J. Hospital and other prayers with submission that all the three accused were physically assaulted by police officials and that they were assaulted on palm of their hands by way of mill-stone belt for more than 10 to 20 times. It is also submitted that accused no.7 is heart patient however, police officers continued to assault him.

4. Say of prosecution is called on Exh.15 in view of multiple prayers therein. Heard both the parties on such prayers.

5. It is most pertinent to observe that any allegations of assault are not leveled by any of the accused no.7 & 10 personally when produced before court today, though the accused no.3 has made the complaint. Moreover, even the medical reports of all the accused do not reveal any injuries or signs of ill-treatment. Under such circumstances, only the oral complaint made by accused no.3 personally needs to be considered.

6. The accused no.3 has made the specific complaint of assault by police officer Patil before Court. In view of such complaint of ill-treatment and as any fresh medical report of his examination after 10.49 p.m on 13.08.2026 is not before court, it would be necessary to refer the accused no.3 to medical examination immediately. The Ld. defence Counsel has submitted that such medical examination shall be conducted at hospital other than Bhabha Hospital in view of observations by Hon'ble High Court of Bombay in Cri. Writ Petition no.49/2020. Hence, it would be necessary to refer the accused no.3 for medication examination at Government Hospital other than Bhabha Hospital.

7. The accused, by Exh.15, prayed for change of officers to carry him to hospital. However, DCB CID is the concerned investigating agency responsible at this stage for custody and protection of the accused. Moreover, medical examination of accused is to be carried on by an independent agency like the Government doctors at Government hospital. As such, there is no reason made out by defence to sustain said prayer.

8. So far as other accused no.7 & 10 are concerned, heard Ld. APP and IO as well as Ld. Defence Counsel on the point of extension of police custody remand. Also perused the case-diary produced by the IO. It can be seen that the accused no.7 & 10 are required by the prosecution agency for investigation purpose as per the grounds agitated in the remand report. The case diary reveals [rogress in investigation during last PCR.

9. The accused are involved in serious offence, whereas scope of investigation into their role is quiet wide and thereby accused are required to be in police custody for facilitating investigation into material facts as required in the remand report. The prosecution has made out justifiable grounds for extension of PCR. Hence, the order.

ORDER

1. The accused no.7 & 10 are remanded to police custody till 18.08.2026.

2. The IO is directed to refer the accused no.3 viz. Zulfikar to Government hospital other than Bhabha Hospital for his medical examination immediately and produce him before this court with report at 4.30 p.m. today.

Date : 14.08.2026



(Shayana Patil)
Special Judge under MCOC Act
City Civil and Sessions Court, Mumbai

Dictated on : 14.08.2026
Transcribed on : 14.08.2026
HHJ signed on : 14.08.2026

“CERTIFIED TO BE TRUE AND CORRECT COPY OF THE ORIGINAL
SIGNED JUDGMENT/ORDER.”

14.08.2026 at 06.30 p.m.	(Mrs. S. W. Tuscano)
UPLOAD DATE AND TIME	NAME OF STENOGRAPHER

Name of the Judge (With Court room no.)	Smt. Shayana Patil (C.R. No.46)
Date of Pronouncement of JUDGMENT/ ORDER	14.08.2026
JUDGMENT/ORDER signed by P.O. on	14.08.2026
JUDGMENT/ORDER uploaded on	14.08.2026