

ORDER BELOW EXHIBIT No.264 IN RCC No.166/2007.

(State Vs. Balasaheb)

Read the application submitted on behalf of the complainant and say filed on it at Exh.266. By the application, the complainant sought the production of record as to disciplinary action initiated against the investigating officer, the office of S.P. By issuing production summons. The Hon'ble High Court directed of initiation of departmental enquiry against the investigating officer for committing lapses in the investigation vide its order and judgment dtd.07.07.2015 in Cri.Writ No.1230/2013. In fact, whatever disciplinary action taken the investigating officer and its proceeding or the record is not helpful in this case as evidence. Therefore, exercise would be futile one and lead to delaying of old case of 2007. It is part heard since long. Therefore, the application being a futile exercise, cannot be allowed. Accordingly, I pass the following order,

ORDER

1.The application is rejected.

2.The complainant and prosecution is directed to complete evidence on their behalf at the earliest as the case is old one of 2007, and it is in general direction of the Hon'ble High Court and Principal District Court for its earlier disposal.

Date:29.06.2016

(M.M.Gadiya)
Judicial Magistrate F.C., Ausa.

