



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL WRIT PETITION NO.213 OF 2023

Dr. Poonam Kedarnath Yadav

.. Petitioner

Vs.

State of Maharashtra,

Through the Chief Secretary, Mumbai and Ors.

.. Respondents

Mr. M.J. Nedumpara, with Ms. Hemali Kurne, i/by Nedumpara & Nedumpara,
for the Petitioner.

Mr. J.P. Yagnik, APP for the Respondent-State.

CORAM : SUNIL B. SHUKRE & M.M. SATHAYE, JJ

DATE : 31ST MARCH, 2023.

P.C. :

1. Heard learned counsel for the petitioner and learned APP for the respondent-State.

2. We have gone through the affidavit of the Investigating Officer dated 27th March 2023, which has been filed in compliance with the order passed by this court on 8th March 2023.

3. The affidavit of the Investigating Officer, on its perusal, appears to be making an attempt to answer the questions raised by this court, which were recorded in the order dated 8th March 2023. The affidavit also gives



explanation as to how the charge-sheet came to be filed without informing this court and the answer given is that the charge-sheet was filed on 3rd January 2023. It appears that this petition was taken up for the first time by this court on 13th January 2023 and by that time, the charge-sheet had already been filed. That being so, the Investigating Officer is right in her submission that there was no occasion for her to inform this court before filing of the charge-sheet and it being a fact indeed, we accept her explanation.

4. About the answers and explanation given in the affidavit, we are of the view that they being on merits of the matter, this petition would have to be placed before the regular Bench having assignment of the present petition.

5. Stand over to 18th April 2023.

[M.M. SATHAYE, J.]

[SUNIL B. SHUKRE, J.]