

AGK

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

BAIL APPLICATION NO.320 OF 2024

Amit Arun Shinde ... Applicant

V/s.

The State of Maharashtra ... Respondent

WITH

INTERIM APPLICATION NO.568 OF 2024

IN

BAIL APPLICATION NO.320 OF 2024

Rohit Sudhir Otari ... Applicant

In the matter between

Amit Arun Shinde ... Applicant

V/s.

The State of Maharashtra ... Respondent

WITH

BAIL APPLICATION NO.1358 OF 2024

Sahebrao Subrao Shelke ... Applicant

V/s.

The State of Maharashtra ... Respondent

WITH

BAIL APPLICATION NO.1471 OF 2024

Balaso Krushnat Dhangar ... Applicant

V/s.

The State of Maharashtra ... Respondent

Mr.Bhalchandra S. Shinde for the applicant in
BA/320/2024.

Mr. Jayant J. Bardeskar for the applicant/intervenor in
IA/568/2024.

Ms. Pooja Phagnekar i/by Mr. N.D. Patil for the applicant in BA/1471/2024.

Mrs. Veera Shinde, APP for the respondent-State.

CORAM : AMIT BORKAR, J.

DATED : MAY 10, 2024

P.C.:

1. It appears that in this matter, the Investigating Officer is not acting diligently. Despite oral observations made by this Court and communication sent by the learned APP, today the Investigating Officer is not present in Court. It prima facie appears that explanation for inability to file affidavit in letter dated 9 May 2024 is unacceptable.

2. The Superintendent of Police, Kolhapur shall initiate discreet inquiry against the concerned Investigating Officer in relation to his conduct of non-appearance despite communication by the learned APP and his failure to file affidavit in the matter.

3. It is also a grievance raised on behalf of the complainants that they are being unnecessarily harassed. The Superintendent of Police, Kolhapur shall look into this grievance of the complainants taking into consideration nature of offence alleged by them.

4. Since, explanation dated 9 May 2024 submitted by the Investigating Officer is unacceptable, the Superintendent of Police shall, therefore, personally look into the matter and shall file his personal affidavit on the next date explaining the action taken against the Investigating Officer for non-appearance and failure to

file affidavit despite oral direction of this Court and the communication sent on behalf of the learned APP for remaining present in Court.

5. Said affidavit shall be filed by the Superintendent of Police, Kolhapur before 14 June 2024.

6. Stand over to **14 June 2024**.

(AMIT BORKAR, J.)