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IN THE HIGH COURT OF JUDICATURE AT BOMBAY  
CRIMINAL APPELLATE JURISDICTION

PIL-CJ-LD-VC- 1 OF 2020

Dr. Vinod B. Kothari .. Petitioner  
Vs.  
Union of India & Ors. .. Respondents

WITH  
PIL-LD-VC- 4 OF 2020

Dev Ashish Dubey .. Petitioner  
Vs.  
The State of Maharashtra & Ors. .. Respondents

WITH  
CIVIL APPELLATE SIDE  
PIL-CJ-LD-VC-24 OF 2020  
(AD HOC NO.W.P.LD-VC-24 OF 2020)

Alakh Alok Srivastava .. Petitioner  
Vs.  
State of Maharashtra & Ors. .. Respondents

Mr. Ram Apte, Senior Advocate a/w Mr. Harish Pandya a/w Mr. Dhrutiman S. Joshi a/w Mr. Mukesh G. Gupta for Petitioner in PIL-CJ-LD-VC-1-2020.

Mr. Omprakash Parihar a/w Mr. Dushyant Tiwari for Petitioner in PIL-LD-VC-4-2020.

Mr. Alakh Srivastava, Petitioner-in-person, present in Civil PIL-CJ-LD-VC-24-2020.

Mr. Anil C. Singh, ASG a/w Mr. Sandesh Patil a/w Mr. D. P. Singh for UOI.

Mr. A. A. Kumbhakoni, AG a/w Mr. Deepak Thakare, PP a/w Mr. S. R. Shinde, APP for State in PIL-CJ-LD-VC- 1 OF 2020 & PIL-LD-VC- 4 OF 2020.

Mr. A. A. Kumbhakoni, AG a/w Mr. P. P. Kakade, Govt. Pleader a/w Mr. M. M. Pabale, AGP for State in PIL-CJ-LD-VC-24 OF 2020.

CORAM: DIPANKAR DATTA, CJ. &  
S. S. SHINDE, J.

MAY 22, 2020.

P.C.:

1. In compliance with the order dated April 30, 2020 passed by this Court in AD-HOC No.W.P.-LD-VC-24 of 2020, two reports in sealed cover have been received by the Registry. Such reports have been placed before us. One report is that of the Special Inspector General of Police, Konkan Range, Navi Mumbai, whereas the other is of the Special Inspector General of Police (Crime), C.I.D., M.S., Pune.

2. It appears that after registration of several FIRs regarding the alleged incident of lynching of three individuals, the local police having jurisdiction embarked on an investigation. The steps taken by the investigating officer are delineated in the report of the Special IGP. However, considering the gravity of the matter, investigation was transferred and taken up by the Criminal Investigation Department. The steps taken during investigation so far, after transfer, find place in the subsequent report. We have perused the reports. Inter alia, it appears that departmental

action has been taken by the State against some of the officers who, prima facie, might have erred.

3. At this stage, neither do we consider it necessary to record the developments in regard to the investigation nor to furnish copies of the reports to the learned Advocates for the Petitioners. Also, keeping in mind the fact that the Hon'ble Supreme Court is seized of a petition under Article 32 of the Constitution wherein a prayer has been made for transferring the investigation to the Central Bureau of Investigation, which is also the prayer in this clutch of petitions, we consider it prudent to adjourn the hearing for two weeks for the present and to await the decision of the Hon'ble Supreme Court on the pending petition.

4. The reports shall be re-sealed and kept in the safe custody of the Registrar General of this Court until further orders.

5. Stand over to June 5, 2020.

6. This order will be digitally signed by the Sr. Private Secretary of this Court. All concerned will act on production by fax or e-mail of a digitally signed copy of this order.

**S. S. SHINDE, J.**

**CHIEF JUSTICE**