

RMA

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

CRI. WRIT PETITION NO. 816 OF 2011

Mrs. Lata Khera @ Anita Bhatia,]
Age : 49 Years, Occ : Business,]
of Bombay Adult, Indian Inhabitant,]
Resident at : 101, Saryu Apartments,]
Opp. Ramkrishna Mission Bus Stop,]
Santacruz (W), Mumbai – 400 057.] Petitioner

Versus

1. The State of Maharashtra.]
a] The Commissioner of Police]

2. Inspector in Charge]
D.B. Marg Police Station,]
Both to be served through Public]
Prosecutor, High Court, Bombay.] Respondent

Mr. M.K. Kocharekar i/b M/s. Rajeev Sawant & Associates for the
Petitioner

Ms. S.V. Gajare, APP for the State

**CORAM : P.V. HARDAS &
M.N. GILANI, JJ.**

DATE : 31st MARCH, 2011.

ORAL JUDGMENT [Per P.V. HARDAS, JJ]:

1. Heard learned Counsel for the respective parties.

2. Rule. By consent, Rule made returnable forthwith and the petition is heard finally at the stage of admission.
3. The petitioner herein also filed Cri. Writ Petition No. 139 of 2011 which came to be disposed of by this Court with a direction that the petitioner would attend the office of PSI Mr. A.B. Mhandale, D.B. Marg Police Station at 10.00 a.m. on 27th January 2011 for recording her statement which would be recored by the concerned officer and action would be taken on the basis of the said statement in accordance with law. By this petition, therefore, the petitioner states that on account of demise of sister of the petitioner, the petitioner could not attend the police station on 27th January 2011. Learned APP states that if the petitioner attends the police station, the police officer would record her statement and take such steps in accordance with law as are required to be taken in enforcing the order of this Court dated 25th January 2011 in Cri. Writ Petition No. 139 of 2011.
4. In the light of the statement of the learned APP, we allow this petition and direct the petitioner to attend the police station on 3rd April 2011 at 10.00 a.m., and accept the statement of the Investigating Officer who is present in the Court that the statement of the petitioner would be recorded by the concerned officer and further action would be taken on the

basis of the statement in accordance with law.

5. In that light of the matter, we make the Rule absolute in above terms with no order as to costs.

[M.N. GILANI, J]

[P.V. HARDAS, J]

