



Case No. CPN /5096/2009-10.

11585

21/12/20

Name of the complainant : Kalpanaba! Sardar,
At-Post Manergaon, Anubai Chawal,
Ulhasnagar, Camp-4, Thane.
V/S.
The Deputy Commissioner of Police,
Ulhasnagar, Zone-IV,
Dist. Thane.



Date : 25.10.2010.

Coram : Justice Kshitij R Vyas (Former Chief Justice), Chairperson

ORDER

The complaint as well as respondent Shri. Ganesh R Ugale, Asst. Police Inspector from Shivaji Nagar police station, Ambernath (E) Thane are present at the time of hearing.

It is the grievance of the complainant that her son Rajesh is missing since August 2009 during the emergence of Ganpati. And even though she has visited several times the Shivaji Nagar police station, Ambernath and made enquiries, she is being ill-treated and harassed by the police. It is the say of the complainant that she has given the names of the persons who are responsible to kidnap her son the police has failed to take action against them. The complainant alleges that concerned persons are threatening her, even to kidnap her daughter. She has therefore, prayed enquiry and action in the matter. API Shivaji Nagar police station has already filed his report in the case, giving details about the enquiries made to trace out the missing son of the complainant. On 1.09.10 API Shri Ugale submitted that after taking opinion from the law officer appropriate decision regarding filling of charge sheet against accused Anand Devkar and Mukesh Meshra shall be taken for the alleged offences U/S 363, 34 IPC. Today at the time of hearing API, Shri. Ugle filed a further report stating that there is no sufficient evidence to book the accused U/S. 363, 34 IPC and has therefore, filed a report seeking 'A' summary in the case on 9.10.10.

Having heard the parties and having perused the reports the Commission is of the opinion that the son of the complainant is missing since more than a year. It is surprising that the police is unable to trace out the grown up boy of 22 years of age till the date. True the Shivaji Nagar police station has tried its best by making all possible efforts the fact remains that the whereabouts of the son of the complainant are not known even though the complainant has complained regarding the threats alleged to have given by the persons, who according to the complainant are responsible for disappearance of her son. Considering the facts and circumstance of the case the Commission feels that the change of investigation is absolutely necessary. The Commission therefore, by recommendatory order passes the following direction. **The Commissioner of police, Thane shall pass appropriate order**

within 4 weeks from the receipt of the order transferring the investigation of Cr. No I-146/09 from Shivaji Nagar police station to Crime Branch, Ulhas Nagar Unit, Thane who in turn shall take all steps to trace out the missing son of the complainant.

With the above the recommendation the complainant is disposed of.

Mumbai.



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(Justice Kshitij R. Vyas)
Chairperson.