



W.P.No.23367 of 2018

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THE HON'BLE CHIEF JUSTICE
and
D.BHARATHA CHAKRAVARTHY, J.

(Order of the Court was made by the Hon'ble Chief Justice)

Heard the petitioner appearing in person; learned Advocate-General and learned Public Prosecutor.

2. Learned Advocate-General submitted that after considering all the relevant aspects and since certain issues require the matter to be referred to an independent person, the Government has taken a decision to nominate a retired Judge to take up and complete the fact finding inquiry so that the inquiry remains uninfluenced and can be concluded after taking into consideration the relevant facts and materials available with the parties.

3. Learned Advocate-General further submitted that a retired Judge has already been nominated and the fact finding inquiry would be completed at the earliest.



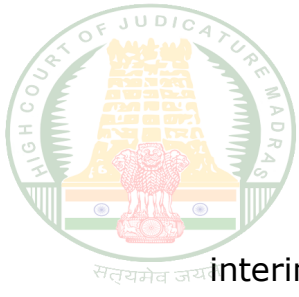
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4. Learned Public Prosecutor submitted that though investigation has been completed, the final report could not be filed in the absence of certificate of the Archaeological Department. The certificate is to be obtained from the Archaeological Department and they are in the process to get the certificate to submit a final report because the allegation is of theft of an idol, which has archaeological value. The prayer is to allow some more time to complete the investigation and file the final report.

5. In view of the above, let this petition be listed on 14.06.2022, enabling the HR & CE Department to show the progress of the fact finding inquiry and at the same time, the concerned police are directed to complete the investigation and for that purpose, the Archaeological Department is directed to furnish the certificate, if permissible and possible, otherwise the final report may be prepared awaiting the report thereupon, which can be filed through a supplementary charge-sheet/final report, but in any case, the investigation would be completed.

6. The Public Prosecutor is at liberty to seek vacation of the



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interim order passed in Crl.O.P.No.15492 of 2019, dated 18.6.2019 for filing of the final report, which may be after hearing the petitioner concerned as in the said petition a challenge is made to the FIR.

(M.N.B., CJ) (D.B.C.,J.)
05.04.2022

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