

FARAD CONTINUATION SHEET NO.
IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD.
APPELLATE SIDE JURISDICTION

Office Memoranda of appearance, directions and orders.	Notes, of Court's orders and Registrar's	Office Coram, orders or	Court's or Judge's orders.
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CRIMINAL WRIT PETITION NO. 1110 OF 2014

BHAGAWATIMATA GRAMIN BIGAR SHETI SAHAKARI
PATHSANSTHALTD BHAGWATIPUR AND ANOTHER
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS

...

Advocate for Petitioners : Mr. P G Patil
APP for Respondents: Mrs. R. K. Ladda.

CORAM: T. V. NALAWADE &
SMT. I. K. JAIN, JJ.
DATED: 30th MARCH, 2015.

PER COURT:

1. The petition is filed for giving direction to hand over the investigation of C.R. No.12 of 2013 registered in Loni Police Station, District Ahmednagar for offence punishable under section 395 etc. of I.P.C. and section 3 read with 25 of Arms Act, to C.I.D. It appears that more than 5 persons had entered the premises of the complainant society with the weapons like revolver and

by giving threats they had forced opened the safe of the society and from there they had taken away the gold ornaments worth Rs.65 Lakh and cash of Rs.1.14 Lakh. They had come in a four wheeler. The papers of investigation show that accused Nos.3, 6 and 7 are identified by the employees in whose presence the offence was committed.

2. The submissions made show that no gold ornament from the aforesaid stolen property could be recovered by the investigating agency. Nothing at all was recovered but in view of the aforesaid material charge sheet is filed. Prayer is made to hand over investigation to C.I.D. In view of the circumstance that the present investigating agency could not do anything more than simply arresting the accused it appears that by letter dated 20th January, 2015 the Special Inspector General of Police, Nashik Region has recommended to the State Government to transfer the investigation to C.I.D. The learned A.P.P. submitted that no order as yet is made by the State Government, the concerned department in this regard. In view of this recommendation and in the fact of the present case direction needs to be given to hand

over the investigation to C.I.D.

3. In the result, the petition is allowed in terms of prayer clause (B).

[SMT. I. K. JAIN, J.] [T. V. NALAWADE, J.]

Dt.30/03/2015

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