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**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
WRIT PETITION NO. 636 OF 2014**

Anand Shankar Panda
versus
State of Maharashtra and ors.

....Petitioner
....Respondents

Mr. P. M. Patil, advocate for the petitioner.
Mr. J. P. Yagnik, APP for the State.

**CORAM : RANJIT MORE &
ANUJA PRABHUDESSAI, JJ.**

DATED : 16th February, 2015.

P.C.:

Heard learned counsel and learned APP for the respective parties.

2. This petition is filed under Article 226 of the Constitution of India for transfer of investigation in respect of C.R.No.199/2012 from Amboli Police State to other independent investigation agency. The petitioner is also seeking an action for contempt against the respondents for breach of order dated 5th March, 2013 passed in criminal writ petition No.580 of 2013.

3. So far as first relief is concerned, Mr.Yagnik, learned APP makes a statement that 'C' Summary Report is already filed on 31st December, 2013 before the concerned Magistrate. The statement to

that effect is also made in affidavit dated 25th June, 2014, filed on behalf of the State Government. In that view of the matter, the first relief is not maintainable. The petitioner is always at liberty to file protest petition before the concerned magistrate. So far as second relief is concerned, we have perused the order dated 5th March, 2013 passed in criminal writ petition No. 580 of 2013. In the said order, the statement of APP that the investigation would be completed within eight weeks was recorded. The investigation agency ultimately as stated above has filed "C" Summary Report dated 31st December, 2013. There is some delay, however, the same cannot said to be willful. We are, therefore, not inclined to entertain the prayer regarding contempt. In the above the circumstances, the petition stands dismissed.

(ANUJA PRABHUDESSAI, J.)

(RANJIT MORE, J.)