

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

WRIT PETITION NO. 822 OF 2015

Waman Rajaram Patil.

..Petitioner.

Versus

State of Maharashtra & Others.

..Respondents.

Mr. Prabhakar Pandey for the Petitioner.

Mrs. M. M. Deshmukh, learned APP for the State.

Coram : RANJIT MORE &
SMT. ANUJA PRABHUDESSAI, JJ.

Date : **July 2, 2015.**

P. C. :

1. Heard learned Counsel appearing for the Petitioner and learned APP for the State. This petition is filed seeking direction to transfer investigation of Crime No.174 of 2015 dated 19th January 2015 registered with Mumbra Police Station to State CID.

2. The said FIR is registered at the instance of the Petitioner, father of the deceased Sandip for the offence punishable under sections 302, 120(B), 143, 144, 147, 148, 149 of the Indian Penal Code, 1860 and section 3(25) of the Arms Act. The Petitioner seems to be eye-witness to the incident dated 19th January 2015. The Petitioner has stated that one Nagraj Patil and Kedar Patil along with 7 to 8 other persons assaulted the deceased Sandip with chopper and sword. He has further stated that Kedar Patil had fired two rounds of bullet from his revolver at Sandip and ultimately,

Sandip succumbed to the injuries. Learned Counsel appearing for the Petitioner submitted that the police have arrested Nagraj and Kedar Patil and two other persons, however, rest of the persons alleged to have played role in the commission of offence are not so far arrested.

3. Learned APP for the State having taken instructions from the concerned police officer states that Nagraj Patil, Kedar Patil and two more persons, namely Suraj Shah and Bipin Pillai have been arrested and charge-sheet has been filed against these persons. She submitted that further investigation is in progress.

4. In the light of statement of the learned APP, we do not find any need to transfer the investigation to any other agency. However, the investigation being carried out by the present investigating officer shall be supervised by the DCP Zone-I, Thane City.

5. Subject to above, writ petition is dismissed.

[SMT. ANUJA PRABHUDESSAI, J.]

[RANJIT MORE, J.]