

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

WRIT PETITION NO. 1878 OF 2014

Afreen Said Ali Sandole.

..Petitioner.

Versus

State of Maharashtra & Others.

..Respondents.

Ms. Najafiya Shroff for the Petitioner.

Mr. K. V. Saste, learned APP for the State.

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

Date : **March 2, 2015.**

P. C. :

1. Heard learned Counsel appearing for the Petitioner and learned APP for the State. Petition is filed for following reliefs :

- “(a) that this Hon'ble Court be pleased to call for the record and proceedings of FIR No.607 of 2013 dated 20.11.2013 and after going through the propriety of the same, why charge-sheet is not prepared within the prescribed time limit and why Amendment of Section 154, Section 326-A, 354-B and 357-C of Criminal Law (Amendment) Act, 2013 along with section 307 is not added though there is assault or criminal force to woman with intent to outrage her modesty;
- (b) That this Hon'ble Court be pleased to transfer the case beyond the jurisdiction of Respondent No.3 and direct Respondent No.2 to appoint a Women Police Officer or Women Cell to investigate the Petitioner's complaint and report the same to this Hon'ble Court.”

2. On the basis of information given by the

Petitioner, the police has registered C.R.No.607 of 2013 for the offence punishable under sections 324, 323 and 504 read with 34 of the Indian Penal Code, 1860 in respect of the incident occurred on 20th November 2013. C.R. is registered against four persons named in the Petitioner's report.

3. Perused the affidavit-in-reply filed by the Police Inspector of Bandra Police Station, Mumbai – Mr. Sandeep Laxman Shinde. We have also perused the complaint and medical certificate. The FIR *prima facie* does not disclose commission of the offence punishable under sections 326-A or 354-B of the Indian Penal Code, 1860. The medical certificate also indicates that the injuries were simple in nature. In the light of these facts, no case is made out for adding sections 326-A or 354-B. Consequently, there are no grounds or reasons for transfer of the investigation.

4. Mr. Saste, learned APP for the State having taken instructions from the officer, who is personally present in the Court, makes a statement that investigation is almost complete and charge-sheet will be filed in the near future. Statement is accepted.

5. In above circumstances, this writ petition has no merits and it is accordingly dismissed.

[SMT. ANUJA PRABHUDESSAI, J.]

[RANJIT MORE, J.]