

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION**

CRIMINAL WRIT PETITION NO. 2806 OF 2013

Sudhakar B. Shetty

..Petitioner

v/s.

The State of Maharashtra & Ors.

..Respondents

Mr. S.A.Tawate for the Petitioner.

Mrs. U.V.Kejriwal, APP for the Respondent/State.

**CORAM : RANJIT MORE &
SMT. ANUJA PRABHUDESSAI,JJ.
DATED : APRIL 23, 2015.**

P.C.

1. Heard. By order dated 21st January, 2012 the learned District Judge-I, Addl. Sessions Judge, Thane under Section 156(3) of Cr.P.C. directed the ACP, Mumbai to conduct investigation into the petitioners complaint. Said order is challenged by the State before the learned Single Judge on the ground that the District Judge, Thane could not have directed the ACP, Mumbai to conduct the investigation.

2. Learned Counsel for the petitioner has no objection if the investigation is conducted by the Superintendent of Police, Palghar. Since the ACP has challenged the order of the District Judge, Thane and he is reluctant to conduct the investigation, it would be appropriate to transfer the investigation of the petitioner's complaint to Superintendent of Police, Palghar.

3. Ordered accordingly.

4. The ACP, Mumbai shall hand over the papers of the investigation to the Superintendent of Police, Palghar within 7 days of receipt of this order.

5. Petition is disposed of in above terms.

(ANUJA PRABHUDESSAI, J.)

(RANJIT MORE, J.)