

Anand

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

**WRIT PETITION NO.3544 OF 2014**

Sandeep Bhoja Shetty .Petitioner

V/s.

Ranjeet Sinha, Director, CBI .Respondents  
& ors

Mr.Rohan Nahar, Advocate, for the Petitioner  
Mr.H.S.Venegaonkar, Advocate, for the CBI  
Mr.A.S.Shitole, APP, for the State

**CORAM : SMT.V.K.TAHILRAMANI AND  
SMT.I.K.JAIN, JJ.**

**DATE : 9TH MARCH, 2015**

**P.C.**

. Heard learned counsel for the  
petitioner and learned counsel for the  
respondent/CBI.

2. The case of the petitioner is that the  
petitioner's brother Satish Shetty was  
murdered on 13.01.2010, hence, he lodged FIR  
at Talegaon Dabhade Police Station which is  
registered as C.R.No.8 of 2010. The

investigation was taken over by local crime branch, Pune and after investigation, they filed charge sheet in the matter. This Court by Order dated 07.04.2010 transferred the investigation to CBI. Thereafter, the investigation was conducted by Pune ACB, CBI. After conducting investigation, Pune ACB, CBI filed the Closure Report before the Special Court saying that sufficient evidence is not available to prove the offences punishable under Sections 109, 120B, 302 and 34 of the Indian Penal Code against the accused persons beyond reasonable doubt. It is, therefore, prayed that the case may be allowed to be closed due to insufficient evidence. The said Closure Report is pending consideration before the Special Court. Being aggrieved by the fact that the Closure Report has been filed, the petitioner has filed this petition.

3. The main prayers in the present petition are that (i) the Closure Report filed

by CBI be quashed & set aside, (ii) direct the CBI to investigate further and the third prayer in the petition is that respondent No.4 be re-instated as the investigating officer of the said case.

4. As far as first 2 prayers are concerned, learned counsel for the CBI on instructions states that the director, CBI has taken decision to further investigate the matter and the matter has been handed over to Delhi Special Crime Branch, CBI. Thus, the first 2 prayers of the petitioner are re-dressed.

5. As far as the last prayer is concerned, respondent No.4 was the investigating officer. However, now, the investigation has been taken over by Delhi Special Crime Branch, CBI. The name of the investigating officer is Vijay Kumar Shukla, Dy.S.P.m CBI, SC-II, New Delhi who is present

before the Court today. In view of the fact that Delhi Special Crime Branch, CBI has taken over investigation, the earlier investigating officer attached to Pune ACB, CBI obviously cannot continue and the new investigating officer who is attached to Delhi Special Crime Branch, CBI would take over the investigation.

6. Looking to the statement made by the learned counsel for CBI, in our view nothing further survives in this petition and the same is disposed of.

(SMT.I.K.JAIN, J.) (SMT.V.K.TAHILRAMANI, J.)