

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

CRIMINAL WRIT PETITION NO. 253 OF 2016

Adam Rajjak Shaikh

.. Petitioner

Versus

The State of Maharashtra & Anr.

.. Respondents

Mr. V.D. Hon, Sr. Counsel i/b. Mr. A.V. Hon, Advocate for the petitioner.

Mr. M.M. Nerlikar, A.P.P. for respondent/State.

**CORAM : A.V.NIRGUDE &
V.L.ACHLIYA, JJ.**

DATED : 04.08.2016

P.C. :-

1. This petition is filed for quashing of Crime No.52 of 2016 registered with Shrigonda Police Station against the petitioner, in which he is accused of committing offence of theft etc. and his vehicle was also seized. The petitioner's contention is that one day prior to the incident, his vehicle was intercepted and he was arrested for committing offence of theft and crime was registered as Crime No.48 of 2016 of Shrigonda Police Station. The petitioner contends that during the course of investigation of first case, before he could take away the vehicle which was parked in the police station, second case was lodged against him.

2. We are not able to appreciate factual aspect of the case. The police refuted these allegations. We are, therefore, not inclined to go into merits of the case. At the most, we may direct respondent/State of Maharashtra to assign investigation of this case to a senior police officer not below the rank of Dy. Superintendent of police, who shall investigate and then send report as per law.

3. With above directions, the Criminal Writ Petition stands disposed of.

[V.L.ACHLIYA,J.]

[A.V.NIRGUDE,J.]