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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
CRIMINAL WRIT PETITION NO. 1443 OF 2016

Mrs. Maya Anil Malhotra

.. Petitioner

Versus

The State of Maharashtra and ors.

.. Respondents

Mr. Swapnil Kamble i/by Mr. A. D. Shetty for petitioner.

Mrs. Sangeeta D. Shinde, APP for State.

Mr. A. A. Siddiquie i/by A. A. Siddiquie & Associates for respondent no.4.

CORAM: NARESH H. PATIL &
PRAKASH D. NAIK, JJ.

AUGUST 23, 2016.

P.C.

1. Learned APP submits that in respect of FIR No. 169 of 2014 dated 6/6/2014 registered with Varsova Police Station, Mumbai for offences punishable under Sections 448, 511 read with Section 34 of the IPC, charge-sheet was filed on 30/6/2016 against one accused.

2. The grievance of the petitioner is that there are other accused persons. The petitioner has submitted sufficient material in support of the allegations. CCTV footages were also submitted showing intervention of other persons, according to the petitioner.

3. Learned APP, on instructions from PSI Yogesh Bendkule, Varsova Police Station, Mumbai, who is present in court, submits that under the direction of ACP, further investigation would be carried out within two weeks.

4. Learned counsel appearing for respondent no.4 disputes the allegations, contentions raised by the petitioner, denies that petitioner is his wife and submits that there are alternate forums for redressal of the grievance of the petitioner. Learned counsel submits that respondent no.4 is owner of the flat in question.

5. Though the charge-sheet is filed against one accused person, learned APP submits that the Investigating Agency under the supervision and direction of ACP would investigate the matter further. This situation could have been avoided. Prompt investigation strengthens people's confidence of free and fair investigation.

6. Without expressing any opinion on the allegations made by the petitioner and contentions raised in the complaint, we direct the ACP to

take necessary steps so that the further investigation is completed under his/her supervision and a report is filed. All issues on merits are kept open. It is clarified that we have not expressed any opinion on the controversy between the parties.

7. Petition is disposed of accordingly.

8. Learned APP to communicate this order to the concerned ACP.

(PRAKASH D. NAIK, J.)

(NARESH H. PATIL,J.)