

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

WRIT PETITION NO.2008 OF 2014

Girish Manharlal Parikh

..Petitioner

V/s.

The State of Maharashtra

.. Respondents

Mr.Vivek Kantawala, Mr.Amey Patil i/by M/s.Vivek Kantawala
& Co. for the Petitioner.

Mr.U.V.Kejriwal, APP for the State.

**CORAM : RANJIT MORE &
K. R. SHRIRAM, JJ.**

DATE : 28th JANUARY 2016.

P.C.

1. Petition is filed for following reliefs :-

(a) that this Hon'ble Court be pleased to
issue Writ of Certiorari or any other Writ,
Orders or directions in the nature of Certiorari
ordering and/or directing the Respondent
No.1 (through the Tardeo Police Station) to
take cognizance of the F.I.R.No.43 of 2014
dated 5th march, 2014 of the Petitioner and
furnish investigated Report with regard stolen

Grey Met Color Innova Car
Regn.No.MH04DY0424 (Diesel) to this
Hon'ble Court.

(b) That the investigation of FIR No.43 of 2014 be transferred to Crime Branch, Mumbai.

(c) That the Concerned Police Officer of Tardeo Police Station file a Affidavit to explain investigation performed and/or carried out by him in respect of FIR No.43 of 2014 before this Hon'ble Court.

2. Mrs. Kejriwal learned APP having taking instructions from the officer who is present before the Court makes a statement that after investigation in the subject FIR the police have already filed A-summary Report before the concerned Magistrate. She further submitted that as soon as the crime is detected, the case would be re-opened. Statement accepted as an undertaking to the Court.

3. In the light of the statement, we find that if petitioner is aggrieved he has remedy to file protest petition

before the concerned Magistrate. Hence we are not inclined to entertain this Writ Petition and same is dismissed.

4. At this stage Mr. Kantawala learned counsel makes a grievance that copy of the A-Summary Report was not given to the petitioner the same is accepted without issuing notice to him. In the circumstances we direct the Investigation Officer of the subject crime to supply to the petitioner the A-Summary report. Needless to mention that the petitioner is at liberty to challenge the same before the appropriate forum.

(K. R. SHRIRAM, J)

(RANJIT MORE, J.)