

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

CRIMINAL WRIT PETITION NO. 3885 OF 2015

Mrs. Atiya Sultan Abdul Kadir Kazi ... Petitioner.

V/s.

The State of Maharashtra & Ors. ... Respondents.

Mr. P. N. Wagh, Advocate for the Petitioner.

Mrs. S. V. Sonawane, APP for the State.

**CORAM : NARESH H. PATIL AND
A. M. BADAR, JJ.**

DATE : 11th APRIL, 2016.

P.C. :

1 On a compliant filed by the Petitioner, the learned Metropolitan Magistrate by his order dated 8th January, 2014 ordered a thorough investigation into the matter by the police under section 156(3) of the Cr.P.C., but since then investigation is pending. Learned counsel appearing for the Petitioner and the prosecution submits that a civil dispute being civil suit no. 1146 of 2015 between the parties is pending in the Small Causes Court, Mumbai in respect of the same subject property. According to the learned counsel appearing for the Petitioner the said civil suit was filed by the power of attorney holder -Mr. Abdul Jabbar Khan.

2 Since the investigation is incomplete, we direct that the Senior Police Inspector of Saki Nakha Police Station, Andheri (East), Mumbai shall investigate the matter and complete the investigation at the earliest.

3 Keeping all issues on merit open, the petition is disposed of.

(A. M. BADAR, J.)

(NARESH H.PATIL,J.)

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