

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

CRIMINAL WRIT PETITION NO. 4645 OF 2014

Sayed Ahmed s/o. Abdul Hasan Sayed	...Petitioner
vs.	
State of Maharashtra & Ors.	...Respondents

Mr.Yusuf Khan i/b. Anjali Awasti for Petitioner.
Mrs.M.M. Deshmukh, APP for State.

CORAM : RANJIT MORE & S.C. GUPTE, JJ.

29 JANUARY 2016

P.C. :

Heard learned Counsel for the Petitioner and learned APP for the State.

2 This petition is filed seeking the following reliefs :

A) That this Hon'ble Court be pleased to issue Writ of Mandamus and, or any other Writ, Order under Article 226 of the Constitution of India, 1950, directing the Mumbai Crime Branch (CB – CID) to take charge of the investigation in respect of FIR bearing CR No.183/2013 dated 21.10.2013 registered at Dongri Police Station into offences u/s. 420, 468, 471, 465, 34 of I.P. Code with further direction to file the Final Report in a reasonable time bound manner.

B) That this Hon'ble Court be pleased to issue Writ of Mandamus and or any other Writ, Order under Article 226 of the Constitution of India, 1950, directing the concerned Officers of the Regional Transport Office, Mumbai Central, at Tardeo to take action of contempt of the lawful authority of its public authority by the nine persons to whom show cause notices are issued on 11.07.2013 for willingly and

knowingly filing false Affidavits, documents for procuring driving licenses at the address of the Petitioners.

3 Learned APP, having taken instructions from the officer of Dongri Police Station, makes a statement that in pursuance of registration of CR No.183/2013, the two persons, namely, Respondent Nos.5 and 7, came to be arrested, however, were subsequently released on regular bail. She further submits that Respondent No.4, had already obtained anticipatory bail and therefore, he was formally arrested. He also states that the investigation of the subject CR is already complete and charge sheet would be filed before the concerned court during the course of the day. In the circumstances, we find that the Petitioner's grievance does not survive in respect of prayer clause (A).

4 As far as relief claimed in prayer clause (B) is concerned, learned APP, on instructions, states that in pursuance of notices issued on 11 July 2013, the driving licenses of nine persons have already been revoked. Statement is accepted. These nine persons are already wanted accused in CR No.183/2013. Though learned APP stated that the charge sheet will be filed during the course of the day, further investigation is continued so far as these nine persons are concerned. In the circumstances, relief claimed in prayer clause (B) also no more survives.

5 In the above facts and circumstances of the case, we do not find any justification to interfere with the investigations or show cause notices in the present writ petition and the same is, accordingly, dismissed.

(S.C. GUPTE, J.)

(RANJIT MORE, J.)