

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
WRIT PETITION NO. 4656 OF 2015

Vijendra Kumar Rai ..Petitioner
Versus
Mr.Pradeep Kale, Sr.Police Inspector,
Jogeshwari East Police Station and ors. ..Respondents

Mr. Vijendra Kumar Rai, petitioner-in-person.
Mr. J. P. Yagnik, APP for the State.

**CORAM : RANJIT MORE &
S. C. GUPTA, JJ.**

DATE : 25th JANUARY, 2016.

P. C. :

Heard the petitioner-in-person and learned APP.

2. The petition is filed for quashing the FIR bearing CR No.37 of 2015 registered with Jogeshwari Police Station for the offences punishable under Sections 354 and 451 of the Indian Penal Code, 1860. In the alternative, the petitioner has also sought for transfer of investigation in respect of the said FIR.

3. We have perused the FIR. Perusal of the same, does disclose commission of cognizable offence. We are, therefore, not inclined to quash the subject FIR. So far as prayer for transfer of investigation is

concerned, we are not inclined to grant the same inasmuch as the petitioner himself is the accused. It is settled principle of law that the investigation cannot be transferred at the instance of the accused. Be that as it may, Mr. Yagnik, learned APP made a statement that the investigation having been completed, charge-sheet has already been filed before the concerned Magistrate. In the above circumstances, we do not find any merit in the petition. The petition is, accordingly, dismissed.

[S. C. GUPTA, J.]**[RANJIT MORE, J.]**