

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH, NAGPUR.

CRIMINAL WRIT PETITION No. 550/2016.

Sitabai Nirmat Janware

-VERSUS-

The State of Maharashtra and others.

Office notes, Office Memoranda of
Coram, appearances, Court's orders
or directions and Registrar's orders.

Court's or Judge's Orders

CORAM : B. P. DHARMADHIKARI
& A.S. CHANDURKAR, JJ.

DATE : OCTOBER 01, 2016.

Heard Shri S.P. Sonwane, learned counsel
for the petitioner and Shri N.B. Jawade, learned A.P.P.
for respondents.

2. Charge-sheet under Section 302 of Indian
Penal Code in the matter is already presented by the
police to the Court of Judicial Magistrate First Class.
Petitioner alleges that person accused therein is not
the real culprit and two persons watched by her while
committing murder are the real accused.

3. Prayer is, therefore, to transfer the
investigation.

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4. Learned A.P.P. submitted that as charge-sheet is filed, grievance needs to be made before the Court, pointing out arrears if any, in the documents presented.

5. We do not wish to comment on the merits of the controversy. If after going through the papers, petitioner finds anything wrong with the investigation, she can always made grievance before the learned Judicial Magistrate First Class. The Court also has powers under Section 319 of the Criminal Procedure Code, to join other persons as accused, if any substance is found in the grievance of the petitioner.

6. In this situation, we are not inclined to entertain the petition. The same is accordingly disposed of. No costs.

JUDGE

JUDGE

Rgd.

CERTIFICATE

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