

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

WRIT PETITION NO. 253 OF 2017

Shilpa K. Gajare Dhumal.

..Petitioner.

Versus

The Commissioner of Police
and Others.

..Respondents.

Mr. Pratap Patil i/b Vikas Kolekar for the Petitioner.

Mrs. M. M. Deshmukh, APP for the State.

API Archana Sutar from Bandra Police Station is present.

Coram : Ranjit More &

Dr. Shalini Phansalkar-Joshi, JJ.

Date : **January 30, 2017.**

P. C. :

1. Heard. Petition is filed seeking direction for transfer of investigation into CR No. 651 of 2013 registered with Bandra Police Station to any other Police Station or the State CID. Mrs. Deshmukh, learned APP having taken instructions from the officer concerned states that investigation into the said CR is over and charge-sheet has already been filed for the offence punishable under sections 498A, 307, 506 and 406 read with 34 of the Indian Penal Code, 1860.

2. Mr. Patil, learned Counsel appearing for the Petitioner makes a grievance that relevant documents / material is not taken into consideration by the Investigating Officer while forwarding the charge-sheet and charge-sheet is filed in such a

way that accused is most likely to get acquittal. Mr. Patil invited our attention to the letter dated 13th October 2016 written by the petitioner to the Commissioner of Police, Mumbai, which is at page 74 of the petition, and submitted that in this letter list of relevant documents and material is given. Mrs. Deshmukh, learned APP on instructions states that in the event Petitioner approaches the Investigating Officer and produces those relevant documents and material, the same will be taken into consideration and appropriate report would be filed under section 173(8) of the Code of Criminal Procedure, 1973. Statement is accepted. Let this exercise be done within four weeks from today.

3. In above circumstances, grievance of the Petitioner no more survives and hence petition is disposed of.

[Dr. Shalini Phansalkar-Joshi, J.]

[RANJIT MORE, J.]