

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

WRIT PETITION NO. 607 OF 2017

Amirali Monabhai Daredia	...	Petitioner
V/s.		
The State of Maharashtra	...	Respondent

Mr.Trivankumar Karnani for the Petitioner.
Ms.S.D. Shinde, APP for the Respondent-State.

**CORAM : RANJIT MORE &
DR.SHALINI PHANSALKAR-JOSHI, JJ.**

DATE : 22nd MARCH, 2017.

P.C. :

1] This petition is filed seeking direction to register the FIR and transfer the same to the independent investigating agency on the basis of the Petitioner's complaint dated 29/06/2016 annexed at page 50 of the compilation.

2] Learned counsel for the Petitioner submits that the Petitioner initially approached the Bandra Police Station, since no response was given, the said complaint dated 29/06/2016 was given to the Joint Commissioner of Police (EOW), Mumbai.

3] Learned APP invited out attention to the document at

page 83 of the compilation. The said document disclose that the Assistant Inspector of Police, General Cheating I, EOW, CB-CID, Mumbai has addressed a letter to the Petitioner dated 26/07/2016 and directed the Petitioner to remain present before him on 01/08/2016 at 10.00 am with relevant documents to make enquiry in respect of the said complaint. The grievance of the learned APP is that despite this letter and subsequent letters, the Petitioner did not present. On the contrary, learned counsel for the Petitioner, submits that the Petitioner remained present, however, he has not been entertained by the said officers.

4] In the above circumstances, we therefore direct the Petitioner to remain present before the Assistant Inspector of Police, General Cheating I, EOW, CB-CID, Mumbai on 31st March, 2017 at 11.00 am. The Assistant Inspector of Police shall thereafter record the statement of the Petitioner, make preliminary enquiry and take appropriate decision. This decision shall be communicated to the Petitioner.

5] Subject to above, Writ Petition is disposed of.

[DR.SHALINI PHANSALKAR-JOSHI, J.]

[RANJIT MORE, J.]