

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

WRIT PETITION NO. 901 OF 2017

Amitkumar B. Shelake.

..Petitioner.

Versus

State of Maharashtra & Another.

..Respondents.

Mr. P. G. Sarda for the Petitioner.

Mrs. A. S. Pai, APP for the State.

Mr. S. L. Dubal, PI Shahapur Police Station is present.

Coram : RANJIT MORE &
SMT. ANUJA PRABHUDESSAI, JJ.

Date : **April 4, 2017.**

P. C. :

1. Heard. Petition is filed seeking direction to transfer the investigation of FIR bearing CR. No. 28 of 2017 registered with Shahapur Police Station, Kolhapur to any independent agency, including the State CID. Said FIR is registered on 9th February 2017. The Petitioner alleges that accused named in the said FIR is British national and he is likely to abscond and officer who is investigating the said crime is not deliberately taking required steps. It is also alleged that though complaint discloses commission of the offence punishable under section 467 of the Indian Penal Code, 1860, the said section is not applied in the FIR.

2. Learned APP having taken instructions from the officer

concerned states that subject FIR was initially investigated by the officer of the rank of PSI, however now the investigation is transferred to the officer of the rank of Police Inspector. She also submitted that investigation in the subject FIR is being supervised by the Dy.S.P. Of Icchakaranji Division. She specifically stated that accused is not British national and he is resident of Surat. She also submitted that investigation so far carried out does not disclose commission of the offence punishable under section 467 IPC. Nevertheless investigation is still in progress and in case there is material to apply the said section, appropriate steps would be taken. Considering the statements made by learned APP, we do not find any reason to transfer the investigation of the subject CR. Writ petition is accordingly dismissed.

[SMT. ANUJA PRABHUDESSAI, J.]

[RANJIT MORE, J.]