

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
CRIMINAL WRIT PETITION NO. 1095 OF 2017

Iqbal Shaikh	Petitioner
versus	
The State of Maharashtra and ors.	Respondents

Mr. Rahul S. Kadam, advocate for the petitioner.
Mr. J. P. Yagnik, APP for the State.

**CORAM : RANJIT MORE &
SARANG V. KOTWAL, JJ.**

DATE : 15th JUNE, 2017.

P. C. :

Heard the learned counsel for the petitioner and learned APP for the State.

2. The petition is filed for transfer of the investigation into FIR being CR No.107 of 2013 registered with Koregaon Park Police Station, Pune, for the offences punishable under Sections 403, 406, 420, 467, 468, 469, 201, 109, 504 and 506 of the Indian Penal Code, 1860. The said CR is registered in pursuance of the order of the learned JMFC, Pune, under Section 156(3) of the Code of Criminal Procedure, 1973.

3. Mr. Kadam, learned counsel for the petitioner, makes a grievance that though the CR is registered in the month of September-2013, there is no progress in its investigation and, on that ground, he is seeking transfer.

4. Mr. Yagnik, learned APP, on instructions, makes a statement that the subject CR was given for investigation to four officers and because of their transfer, the investigation could not be completed. He submits that, at present, SPI of Koregaon Park Police Station is investigating the subject CR. He places on record a report dated 15th June, 2017 of the SPI of Koregaon Park Police Station, Pune City. He also makes a solemn statement that the investigation into the subject CR would be completed within a period of eight weeks and appropriate report to that effect would be filed.

5. Having heard the learned counsel and learned APP and having perused the above-mentioned report, we find that there is unjust delay in completing the investigation of the subject CR. Transfer of the officers who were investigating the subject CR cannot be a justification for the inordinate delay. However, since a statement is made by the learned APP, on instructions, that the investigation would be completed within eight weeks, at this stage, we are not inclined to transfer the investigation of the subject CR to any other agency. However, in the interests of justice and in the light of the allegations made by the petitioner, we direct that the investigation into the subject CR be supervised by DCP, Zone -II, Pune.

6. In the light of the above, the writ petition is disposed off.

(SARANG V. KOTWAL, J.)

[RANJIT MORE, J.]