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

**WRIT PETITIN NO.1488 OF 2016**

Madansaheb Saheb Patel and anr                      ...      Petitioners

V/s.

Senior Police Inspector  
Kashimira Police Station and ors                      ...      Respondents

Mr. S. D. Patil I/by Anusha Pravin Amin,for the Petitioners.  
Mrs. A.S. Pai, APP for the Respondent State.

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

**DATE : 23<sup>rd</sup> MARCH, 2017.**

**P.C. :**

1]                      Heard Mr. Patil, learned counsel appearing on behalf of petitioner and Mrs. A.S.Pai, appearing on behalf of State.

2]                      The petition is filed seeking direction to respondent      to transfer investigation of C.R.No.I-312 of 2013, registered with Kashimira Police Station.

3]                      Mr. Patil, learned counsel for the petitioner does not dispute that this crime was thoroughly investigated by police and chargesheet is filed against accused for various offences including

offence punishable under Section 326 of the Indian Penal Code.

4]           The grievance of petitioner is that the builder, who was main accused was shown to be absconding in the chargesheet. He, however, states that subsequently, builder surrendered and he was released on bail.

5]           Learned counsel for petitioner submits that the investigation is faulty and not in accordance with law. We repeatedly asked Mr. Patil, about the infirmities into investigation. Mr. Patil, was unable to show any infirmity therein. We have also gone through the chargesheet which is annexed to the petition, but prima facie do not find any infirmity therein.

6]           In the above circumstances, we do not find any merit in the petition so as to direct further investigation under Section 173(8) of the Code of Criminal Procedure. The petition is, therefore, devoid of any merit and the same is dismissed.

**[DR.SHALINI PHANSALKAR-JOSHI, J.]**

**[RANJIT MORE, J.]**