

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

WRIT PETITION NO. 1781 OF 2017

Vidyadhar Kadam and Another. ..Petitioners.

Versus

State of Maharashtra & Others. ..Respondents.

Mr. G. K. Masand, Ajeet Manwani i/b A & A Legal for the Petitioner.
Mrs. A. S. Pai, APP for the State.

Coram : RANJIT MORE &
SARANG V. KOTWAL, JJ.

Date : **July 7, 2017.**

P. C. :

1. The petition is filed for transfer of investigation of the subject FIR, namely, CR. No. 348/2016 registered with Tilak Nagar Police Station and investigated by Assistant Commissioner of Police of Chambur. The grievance of the Petitioner is that Additional Commissioner of Police has transferred the investigation of the subject FIR to ACP, Chambur without authority.

2. The learned APP having taken instructions from the officer concerned states that the subject FIR is already investigated by ACP, Chembur division and C-summary report is filed before learned Metropolitan Magistrate, 72nd Court, Vikhroli. Statement is accepted.

3. In the light of above, we are not inclined to entertain this petition inasmuch as the Petitioner will get an opportunity to file

protest petition or oppose the C-summary report. Learned Magistrate shall not dispose of the said C-summary report without giving an opportunity of hearing to the Petitioner.

4. With these observations, petition is dismissed.

[SARANG V. KOTWAL, J.]

[RANJIT MORE, J.]