

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

WRIT PETITION NO. 2021 OF 2017

Premsheela V. yadav.

..Petitioner.

Versus

State of Maharashtra.

..Respondent.

Mr. M. S. Adenwala for the Petitioner.

Ms. S. D. Shinde, APP for the State.

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

Date : **June 8, 2017.**

P. C. :

1. Heard learned Counsel appearing for the Petitioner and learned APP for the State. Petition is filed for transfer of investigation in CR. No.105/17 registered with Bangur Nagar Police Station, Goregaon to any other independent agency. The offence alleged in the said CR are the offence punishable under sections 306, 323, 504 and 506 read with 34 of the Indian Penal Code, 1860. The said CR is registered at the instance of the Petitioner on 5th May 2017.

2. The Petitioner alleges that her husband committed suicide because of the ill-treatment by son and daughter-in-law. The Petitioner in this regard relies upon the letter dated 10th December 2016 which is written by the deceased to the police prior to the date of incident. The grievance of the Petitioner is that though the incident

has occurred on 15th January 2017, offence is registered on 5th May 2017. Learned Counsel appearing for the Petitioner submitted that proper investigation is not carried out.

3. Learned APP, on instructions, states that after registration of the FIR, on 6th May 2017 the son and the daughter-in-law of the deceased were arrested and they are still in custody. She submitted that statements of six witnesses are already recorded. She lastly submitted that investigation is in progress and appropriate report would be filed before the Magistrate within three weeks from today.

4. In above circumstances, we find that no case is made out for transfer of investigation. We are therefore not inclined to exercise our jurisdiction under Article 226 of the Constitution of India. Writ petition is accordingly dismissed.

[SARANG V. KOTWAL, J.]

[RANJIT MORE, J.]