

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

CRIMINAL WRIT PETITION NO.3527 OF 2016

Mr. Ashfak Manjoor Khan	...Petitioner
Versus	
The State of Maharashtra & Ors.	...Respondents

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Mr. K.S. Patil for the Petitioner.
Mrs. A.S. Pai, APP for the Respondent-State.
Mr. Vikas D. Bhujbal, PI, Shivaji Nagar Police Station is present.

**CORAM : RANJIT MORE &
SMT. ANUJA PRABHUDESSAI, JJ.**

DATED: 2nd MAY, 2017.

P.C.:-

Heard the learned counsel for the Petitioner and the learned APP for the Respondent- State.

2. The Petitioner has claimed following relief :-

“ a) This Hon'ble Court may issue appropriate writ/order/direction and direct the transfer of investigation into the offences recorded in FIR bearing CR. No.61/2015 dtd. 31/01/2015 registered at Shivaji Nagar Police Station, Mumbai u/s 302, 201 of IPC resulting into submission of final report vide C.C. No.542/PW/2015 which is numbered as Sessions Case No.428 of 2015, for further investigation to the Crime Branch (D.C.B. Mumbai) for further investigation and to file addition report in respect of further investigation carried out within such time as this Hon'ble Court may deem fit and proper.”

3. The learned APP, on instructions makes a statement that after completion of the investigation in the subject crime No.61 of 2015 registered at Shivaji Nagar Police Station for the offences punishable under sections 302 and 201 of the IPC, charge sheet has been filed. She has further submitted that pursuant to the order under section 173(8) of the Cr.P.C, further investigation was undertaken. She states that further investigation is almost complete and that the supplementary charge sheet will be filed within a week's time. Statement is accepted.

4. In the above circumstances, we grant liberty to the Petitioner to approach the Shivaji Nagar Police Station, Govandi, Mumbai and bring to the notice of the Investigating Officer, material if any, which needs to be investigated or looked into before filing of the supplementary charge sheet. The Investigating Officer shall consider the additional material, if any, pointed out by the Petitioner and take appropriate decision.

5. Subject to above, the writ Petition is disposed of.

(ANUJA PRABHUDESSAI, J.)

(RANJIT MORE, J.)