

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
WRIT PETITION NO. 3824 OF 2016

Mr. Saffudin H. Attarwala	..Petitioner
Versus	
The State of Maharashtra and anr.	..Respondents

Mr. I. B. Singh i/b. I. B. Singh and Associates, advocates for the petitioner.
Mrs. M. M. Deshmukh, APP for the State.

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

DATE : 10th JANUARY, 2017.

P. C. :

Heard.

2. The petition is filed for the following reliefs :

“(a) This Hon'ble Court in the interest of justice be pleased to issued(sic) such necessary order(s)/directions/writ in the nature of mandamus of(sic) certiorari or any other writ or order as this Hon'ble Court may deem fit and proper commanding the respondent police to name the petitioner as first informant in F.I.R.No.66 of 2013 as well as in the final report filed by the Kurla Police Station in the court of Ld.M.M.51st Court, Kurla, Mumbai.

(b) That this Hon'ble High Court in the interest of justice be pleased to pass necessary order(s) as it may be deem fit and proper for transfer of C.C.No.1535/PW/2013 to any other Magistrate Court for conducting fresh trial of the court case presently pending trial in the files of Ld.M.M.51st Court, Kurla, Mumbai.

(c) That this Hon'ble High Court in the interest of justice be pleased to stay the further proceedings of C.C.No.1535/PW/2013 pending in the files of Ld.M.M.51st Court, Kurla, Mumbai."

2. The FIR No.66 of 2013 is registered on the basis of complaint of Dr.Ratnakar Ranade, Sr. Medical Officer. After completion of the investigation, a charge-sheet was filed which is registered as CC/1535/PW/2013. The trial of the said case has already commenced and it is at advanced stage inasmuch as four witnesses including the petitioner have been already examined.

3. From the record, it appears that for more or less similar reliefs, the petitioner had also made an application before the trial Court and the same was rejected. The said order is not challenged by the petitioner by filing any proceedings. As stated above, the petitioner's evidence is also recorded and, therefore, we are of the opinion that no

grounds are made out for interference in the instant petition. The petition is, accordingly, dismissed.

(DR. SHALINI PHANSALKAR-JOSHI)

[RANJIT MORE, J.]