

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

WRIT PETITION NO. 4034 OF 2016

Sharif Sultan Khan.

..Petitioner.

Versus

State of Maharashtra & Another.

..Respondents.

Mr. S. G. Rajput for the Petitioner.

Mrs. G. P. Mulekar, APP for the State.

Coram : Ranjit More &

P. R. Bora, JJ.

Date : **January 13, 2017.**

P. C. :

1. Heard. The petition is filed seeking transfer of investigation into CR. No. I-337 of 2013 registered with Shanti Nagar Police Station. Learned Counsel appearing for the Petitioner does not dispute that after completion of investigation into the said FIR, police has filed report under section 169 of the Code of Criminal Procedure, 1973 and this report is accepted by learned Magistrate. In that view of the matter, in our opinion, the remedy of the Petitioner is to challenge the said report before the appropriate Court. Since the Petitioner has an alternate remedy, we are not inclined to entertain this writ petition in exercise of our jurisdiction under Article 226 of the Constitution of India and the same is accordingly dismissed.

[P. R. BORA, J.]

[RANJIT MORE, J.]