

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

WRIT PETITION NO. 4577 OF 2016

Mehmodda Begum		
w/o. Late Nurulla Khan & Ors.	...	Petitioners
V/s.		
The State of Maharashtra & Ors.	...	Respondents

Mr.Moinuddin Khan for the Petitioners.
Mr.J.P. Yagnik, APP for the State.

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

DATE : 16th MARCH, 2017.

P.C. :

1] Heard learned counsel for the Petitioners and learned APP for the State.

2] This petition is filed seeking direction to transfer the investigation of the subject FIR. The Petitioners are the accused in the said FIR. Therefore, we are not inclined to entertain their prayer.

3] Be that as it may, the transfer is sought on the ground that the entire incident occurred in the jurisdiction of R.A.K. Marg Police Station and the FIR is registered at Washim Police Station. Learned counsel for the Petitioner, however, does not dispute that

the complainant is residing in the jurisdiction of the Washim Police Station. In these circumstances, we are therefore, not inclined to entertain this petition. We dispose of this petition.

4] Learned counsel for the Petitioner, at this stage, relied upon the decision of the Apex Court in the case of *Bhura Ram & Others Vs. State of Rajasthan & Another*, reported in (2008) 11 SCC, in support of his contention. In the said case, the proceedings were arising under Section 156(3) of CrPC and in the present case the proceedings arise out of the provisions of Section 177 of CrPC i.e. ordinary place of enquiry and trial.

5] Taking into consideration the totality of the facts and circumstances, we are not inclined to entertain this petition and the same is, therefore, dismissed.

[DR.SHALINI PHANSALKAR-JOSHI, J.]

[RANJIT MORE, J.]