

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH, NAGPUR

Criminal Writ Petition No.856 of 2016

(Meena w/o Prakash Somkuwar
vs.

The State of Maharashtra, through Secretary, Dept.of Home, Bombay & ors.)

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*Office notes, Office Memoranda of
Coram, appearances, Court's orders
or directions and Registrar's orders.*

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Court's or Judge's Orders

Shri Kinkhede, Adv. h/f Shri R.R. Vyas, Adv. for the Petitioner.
Shri R.S. Nayak, A.P.P. for the Respondents.

**CORAM : B.R. GAVAI AND
KUM. INDIRA JAIN, JJ.**

DATE : 27th FEBRUARY, 2017.

Perusal of the case-diary would reveal that there appears to be sufficient material to proceed further with the investigation. However, in spite of that, the proceedings under Section 169 of the Code of Criminal Procedure have been filed. In that view of the matter, it would be appropriate that the investigation be transferred to the Local Crime Branch.

The petition is, therefore, allowed with directions to the respondents to handover the investigation to the Local Crime Branch. We further make it clear that the fact of the report being submitted by the earlier Investigating Officer under

Section 169 of the Code of Criminal Procedure would not come in the way of Local Crime Branch while investigating the matter. In addition, the Local Crime Branch shall intimate the learned trial Court about the order passed by this Court.

JUDGE

JUDGE

**sdw*