

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
WRIT PETITION NO. 4613 OF 2018**

Kiran Murlidhar Ghadage	Petitioner
versus	
The State of Maharashtra and ors.	Respondents

Mr. P. G. Chavan, advocate for the petitioner.
Mr. S. R. Shinde, APP for the State.
Mr. A. H. Ponda along with Mr. A. R. Kothari I/b. Link Legal India Law Services, advocates for the respondent Nos.2 to 6.

**CORAM : RANJIT MORE &
SMT.BHARATI H. DANGRE, JJ.**

DATE : 16th OCTOBER, 2018.

P. C. :

Not on board. Papers called for, as connected matters are on board.

2. The petition is filed for the following relief :-
 - a. That this Hon'ble Court may be pleased to issue the Writ of Mandamus and/or any other appropriate Writ and/or Direction thereby directing to transfer the investigation in respect of FIR No.383 of 2015 registered by Chaturshringi Police Station to Pandharpur Taluka Police Station i.e. Respondent No.1 for further investigation and

further be directed to merge into in R.C.C.No.262/2018
pending before learned Judicial Magistrate, Pandharpur;

3. Having heard learned counsel for the respective parties and having gone through the record, we are of the opinion that the petition is misconceived. Admittedly, the FIR registered at Chaturshringi Police Station was prior in time. The FIR registered with Pandharpur Taluka Police was subsequent to the registration of FIR at Chaturshringi Police Station.

4. In the light of settled position of law that second FIR in respect of the same incident is not maintainable, the prayer made in the petition cannot be granted. Be that as it may, the charge-sheet filed in the second FIR registered at Pandharpur Taluka Police Station is already quashed and set aside by passing a separate order in criminal application Nos.565 and 563 of 2017. The writ petition is, accordingly, dismissed.

[SMT.BHARATI H. DANGRE, J.]

[RANJIT MORE, J.]