

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
WRIT PETITION NO.2131 of 2018

Bindy Bharat Khimji and anr .. Petitioners
Versus
The State of Maharashtra & ors .. Respondents

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Mr. K.J. Patil for the petitioners.

Mr. Deepak Thakare, G.P with Mrs.P.P. Shinde, APP for the State.

Mr. Balasaheb Kakade ACP, with Mr.P.G. Sanas, PI from EOW present.

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

DATED : 17th SEPTEMBER 2018

P.C:-

- 1 Heard learned counsel for the petitioner.
- 2 Petition is filed for the following relief :

(a) That this Hon'ble Court may be pleased to issue appropriate writ, directions and/or orders in the nature of Mandamus directing the Respondent nos.1 to 3 that no order directing transfer, suspension or removal of the Investigating Officer shall be passed until completion of investigation in C.R.No.26/15 and C.R. 27/15 registered with EOW, Housing-II, Mumbai.

3 The petitioner is an aggrieved person and his statement is recorded in C.R.No. 27 of 2015 registered with EOW-II. Investigation of this C.R. was being carried out by Shri Bajrang Parab – Investigating Officer. By this petition, the direction is claimed that this Investigating Officer should not be transferred or suspended on completion of the investigation in C.R.No.27 of 2015.

4 During the pendency of the petition, Shri Bajrang Parab is transferred and thereafter, investigation of this C.R was handed over to Special Investigating Team (S.I.T). All three persons were headed by Assistant Commissioner of Police. Investigation of S.I.T is being supervised by the Dy. Commissioner of Poilce. Even the S.I.T has submitted two reports dated 30th August 2018 and 12th September before this Court. Reports show that investigation is in progress.

5 We are therefore, not inclined to interfere in this petition. The same is dismissed.

 The S.I.T reports dated 30th August 2018 and 12th September 2018 be re-sealed and kept in the custody of the Registry.

(SMT. BHARATI H. DANGRE, J.)

(RANJIT MORE, J.)

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