

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
CRIMINAL WRIT PETITION NO. 1608 OF 2018**

Jafferbhai Asgerali Badliwala (Jangbarwala)	..Petitioner
Vs.	
The State of Maharashtra & Ors	..Respondents

**WITH
CRIMINAL APPLICATION NO.257 OF 2018
IN
CRIMINAL WRIT PETITION NO. 1608 OF 2018**

Jafferbhai Asgerali Badliwala (Jangbarwala)	..Petitioner
Vs.	
The State of Maharashtra & Ors	..Respondents
And	
Mr. Mahendra Surji Gala & Anr	..Interveners/ Applicants

Mr. S. R. Gaud for the Petitioner
Mr. Subodh Desai a/w Mr. Anuj Jhaveri, Mr. Piyush Pande, Mr. Asadali Mazgaonwala i/b Kartikeya & Associates for the Applicants /Respondent Nos.2 and 3
Mr. K. V. Saste Addl PP for the Respondent State

**CORAM :R. M. SAVANT, &
REVATI MOHITE DERE,JJ
DATE : 12th JULY, 2018**

P.C.

1 The above Petition seeks the transfer of the investigation from the Economic Offence Wing to the Central Bureau of Investigation (CBI) Mumbai. We are informed by the Learned Addl PP that the investigation in question is on the verge of completion. The Learned Addl PP further states that the report of the hand writing expert has been obtained and the said report according to him prima facie supports the allegations made in the FIR. The Learned Addl PP however states that certain information is sought from the Urban Land

Ceiling Department, from Municipal Corporation of Greater Mumbai and the Tahsildar, Santacruz (W) which is awaited. The Learned Addl PP states that as soon as the said information is received that a decision would be taken by the Investigating Officer as regards the filing of the charge sheet or otherwise.

2 Prima facie we are satisfied with the way in which the investigation progressed thus far. We therefore do not find any warrant to consider the prayer of the Petitioner for transfer of investigation at this stage. There is therefore now no warrant to keep the above Petition pending, the same to accordingly stand disposed of.

3 We expect the Investigating Officer of the EOW to complete the said investigation with reasonable despatch. In so far as prayer clause (c) is concerned, we do not deem it appropriate to consider the same as it is within the domain of the Investigating Agency. Liberty to apply if the situation so warrants in future.

4 In view of the disposal of the above Petition, the Criminal Application No.257 of 2018 does not survive and to accordingly stand disposed of as such.

[REVATI MOHITE DERE, J]

[R.M.SAVANT, J]