

IN THE HIGH COURT OF BOMBAY AT GOA**CRIMINAL WRIT PETITION NO. 154 OF 2019**

BHARAT DINA CHARI.

... Petitioner

VersusSTATE OF GOA, THR. CHIEF SECRETARY
AND 2 ORS.

... Respondents

Mr. R. Chodankar, Advocate for the Petitioner.

Mr. M. Amonkar, Addl. Public Prosecutor for the Respondents.

**Coram:- M. S. SONAK &
NUTAN D. SARDESSAI, JJ.****Date:- 11th November, 2019****P.C.**

Heard Mr. R. Chodankar, learned counsel for the Petitioner and Mr. M. Amonkar, learned Additional Public Prosecutor for the Respondents.

2. The Petitioner is the father-in-law of Rahul Chari. The Petitioner has several grievances against his own son-in-law which resulted in filing no less than four FIRs. The main allegation against the son-in-law is that he is using or rather abusing the Debit Card of the Petitioner. It is the case of the Petitioner that the police are not satisfactorily investigating into the matter.

3. It is also the case of the Petitioner that his son-in-law has set fire to the business premises of the Petitioner.

4. The learned counsel for the Petitioner pointed out that the police are not investigating properly into the matter. The police have not even arrested the son-in-law and therefore, this is a fit case to handover the investigation to the Central Bureau of Investigation (CBI) or in the alternative to the Crime Branch.

5. Mr. Amonkar, learned Addl. Public Prosecutor pointed out that in three of cases 'A' summary has already been filed before the concerned Magistrate. He pointed out that disposes of this nature, the investigation cannot be transferred either to the CBI or Crime Branch. In case the Petitioner has any grievance, he is always at liberty to agitate the same before the Magistrate where 'A' summary has already been filed.

6. According to us, this is not a fit case to transfer the investigation to the CBI or Crime Branch.

7. The Petitioner indeed can oppose before the Magistrate, the attempt on the part of the police to close the matter by filing 'A' summary report. Besides, the Petitioner has several other remedies available both under the Civil law as well as in the Code of Criminal Procedure. In any

case, this is not a matter where we should order the transference of investigation either to the CBI or Crime Branch.

8. Accordingly, for the aforesaid reasons, we dismiss this petition. There shall be however no order as to costs.

9. We clarify that the dismissal of this petition should not prejudice the case of the Petitioner in case the Petitioner seeks to avail of any other remedy in the matter.

NUTAN D. SARDESSAI, J.

M. S. SONAK, J.

at*