

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL WRIT PETITION NO.4730 OF 2019

PUSHKAR DAMLE

)...PETITIONER

V/s.

STATE OF MAHARASHTRA AND ANR.

)...RESPONDENTS

Mr.Bhavesb Parmar i/b. Mr.Devmani Shukla, Advocate for the
Petitioner.

Mr.A.R.Kapadnis, APP for the Respondent – State.

CORAM : A. M. BADAR, J.

DATE : 19th DECEMBER 2019

P.C. :

1 Heard the learned counsel appearing for the petitioner.
Perused the petition.

2 It is argued by the learned counsel appearing for the
petitioner that the concerned Investigating Officer has tampered
with the charge-sheet and wrong charge-sheet was filed with
wrong Charge and therefore, the First Informant applied for

prosecuting the Investigating Officer. It is argued that by illegal and perverse order, the application so far as it relates to prosecuting the Investigating Officer came to be rejected.

3 I have considered the submissions so advanced and perused the impugned order. The application so filed by the First Informant through the the learned Additional Public Prosecutor for adding and altering the charges apart from seeking direction to prosecute the Police Officer Assistant Police Inspector Prakash Dhende for filing wrong charge-sheet.

4 I see no infirmity in the impugned order passed by the learned trial Magistrate. It is observed by the learned trial Magistrate that during the course of investigation, the Investigator can submit supplementary charge-sheet and can change the penal provisions of law invoked against the accused person. It is wise presumption of law as recognized by the legislature that official acts are regularly done.

5 In this view of the matter, the petition is devoid of
merits and is therefore rejected

(A. M. BADAR, J.)