

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

WRIT PETITION NO. 713 OF 2018

Mohammed Faiyaz Ansari ... Petitioner

Versus

State of Maharashtra and Ors. ... Respondents

Ms.Anjali Awaasthi for the Petitioner.

Mr. S.R. Shinde, APP for the respondent State.

Mr.Satish Nikam, API, I.O. present.

**CORAM : B.P. DHARMADHIKARI &
REVATI MOHITE DERE, JJ.**

DATE : FEBRUARY 27, 2019

P.C.:

Heard learned counsel for the petitioner. Perused the order of the Court dated 5/3/2018. In that backdrop we have also heard learned APP with the Investigating Officer. We have also perused the file containing the investigation papers,. The spot panchanama does not mention the distance between the floor and the ceiling fan. The investigation also does not explain how the ligature mark is at the base of neck and not below the chin.

2. The petitioner has pointed out some other injuries on the body. As two material aspects find no consideration in the

investigation, in this situation, we direct respondent no.2 to forthwith transfer the investigation to Crime Branch, Thane. Crime Branch, Thane shall look into the matter at the earliest.

3. With the liberty to the petitioner to approach again if the grievance survives or arises thereafter, we partly allow the writ petition and dispose it of.

(REVATI MOHITE DERE, J.)

(B.P. DHARMADHIKARI, J.)