

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

WRIT PETITION NO. 3861 OF 2019

Ratnamala Shantaram Babar. ..Petitioner.
Versus
State of Maharashtra & Others. ..Respondents.

Mr. K.V. Patil for the Petitioner.
Mr. F. R. Shaikh, APP for the Respondent-State.

Coram : RANJIT MORE &
N. J. JAMADAR, JJ.
Date : **September 3, 2019.**

P. C. :

1. Heard learned counsel appearing for the Petitioner and learned APP for the Respondent-State. The petition is filed seeking direction to transfer the investigation in the case of death of the Petitioner's son. Mr. Shaikh, learned APP on instructions makes a statement that the Petitioner's son had met with an accident on 17th April 2019 and latter on he succumbed to the injuries caused in the said accident. On the very same day, ADR was registered. At the instance of the Petitioner, subsequently on 27th August 2019, FIR bearing CR Nodd.542 of 2019 was registered for the offence punishable under section 279, 304A and 338 of the Indian Penal Code, 1860 and section 148 of the Motor Vehicles Act, 1988. Mr. Shaikh, learned APP

placed before us for our perusal a report dated 3rd September 2019 made by Karad Police Station. The report shows that investigating officer has recorded the statements of 13 witnesses and out of these 13 persons, 3 are the eye-witness. According to the versions of these eye-witnesses son of the Petitioner was driving Pulsor motor cycle rashly and negligently, and while driving said vehicle, he collided with divider on the road. The Petitioner's son was injured in this accident and he succumbed to the injuries, upon admission in Krishna hospital, he was declared dead. We have also perused the post mortem report of the deceased son of the Petitioner. It supports the versions of the eye-witnesses. In this fact situation, we are not inclined to entertain this writ petition and the same is accordingly dismissed.

[N. J. JAMADAR, J.]

[RANJIT MORE, J.]