

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

WRIT PETITION NO.2087 OF 2021

Prasad Kishor Paraswar And Anr. .. Petitioners

v/s.

The State of Maharashtra & Anr. .. Respondents

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Mr. Hafiz Kazi, a/w. Mr. Hasnain Kazi and Mr. Zeeshan Khan, for the
Petitioners.

Mrs. M.H. Mhatre, APP, for Respondent State.

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CORAM: NITIN JAMDAR &
SARANG V. KOTWAL JJ.

DATE : 23 NOVEMBER 2021.

P.C:-

Heard learned Counsel for the parties.

2. The Petitioners are stated to be Directors of Samruddha Jeevan Foods India Pvt. Ltd. and Samruddha Jeevan Multistate Multipurpose Co-operative Society Ltd.. Two prayers are made by the Petitioners. First is transfer of investigation of the FIRs against the present Petitioners in respect of the two companies to single investigating agency, i.e .Respondent No.2-CBI. Secondly, direction that no coercive steps should be taken against the Petitioners in various FIRs that have been lodged.

3. As far as first prayer is concerned, the learned Counsel for the Petitioners states that the same has been granted by the Apex Court, however, the State authorities are still carrying out the investigation. No representation is made to any authority pointing out the order, which according to the Petitioners, already directs transfer of the writ petition. In absence of these steps taken by the Petitioners, it is not possible to entertain this relief at the first instance.

4. As regards the second relief of no coercive steps are concerned, such a blanket order cannot be passed. It is always open to the petitioner to apply for available statutory remedies such as anticipatory bail under Section 438 of the Criminal Procedure Code.

5. In view of this position, no further orders can be passed in this petition. The writ petition is disposed of.

(SARANG V. KOTWAL, J.)

(NITIN JAMDAR, J.)