

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL WRIT PETITION NO. 3192 OF 2021

M/s. Marudhar Express Services Pvt. Ltd. ..Petitioner
Versus
State of Maharashtra & Ors. ..Respondents

Mr. Neeraj Yadav i/b. Sathyanarayanan R. for Petitioner.
Ms. M. H. Mhatre, APP for Respondent/State.

CORAM : NITIN JAMDAR AND
SARANG V. KOTWAL, JJ.

DATE : 05 OCTOBER 2021

P.C. :

. Heard the learned counsel for Petitioner. The main grounds on which the Petitioner is seeking direction for appointment of independent Investigating Agency is that, the Petitioner had booked a consignment of Rs. 24 lakhs and after theft, Investigating Agency only recovered Rs. 7 lakhs, which, according to Petitioner, is an improper and inefficient investigation.

2. In the Petition, we do not find an assertion with reference to a particular document giving details, including the order received from the party to whom consignment was discharged, demonstrating that the goods were worth Rs.24 lakhs. Unless the Petitioner

discharges this burden, no allegations of improper investigation can be made.

3. Faced with this situation, the learned counsel for the Petitioner seeks leave to withdraw this writ petition with a liberty to file a fresh petition placing on record all the details as regard the consignment worth Rs.24 lakhs.

4. With such liberty, the petition is disposed of.

(SARANG V. KOTWAL, J.)

(NITIN JAMDAR, J.)