

IN THE HIGH COURT OF JUDICATURE AT BOMBAY**CRIMINAL APPELLATE JURISDICTION****CRIMINAL WRIT PETITION NO.369 OF 2019**

Pramod Balasaheb Dharashivkar

.....Petitioner

Vs.

The State Of Maharashtra

.....Respondent

None for the Petitioner.

Smt. J.S. Lohakare APP, for the Respondent-State.

**CORAM : A. S. GADKARI AND
MILIND N. JADHAV, JJ.
DATE : 7th OCTOBER, 2022.**

P.C.:-

The Petitioner has prayed for the following two reliefs-

- (i) To transfer C.R. No.96 of 2018 registered with Satara City Police Station, to CBI for its investigation and;
- (ii) To conduct Narco test of the informant and her son.

2) By now, it is settled position of law that, an accused has no right to seek transfer of his case to an investigating agency of his own choice. Likewise, accused has no say in the manner, method and mode of investigation being carried out by the investigating agency. Reliance is placed on the decision of Hon'ble Supreme Court in the case of *Union of India & Anr. Vs. W.N. Chadha* reported in *AIR 1993 SC 1082*.

3) As far as the prayer of Narco test of the informant and her son is concerned, the Petitioner will be at liberty to file such an Application before the learned trial Court and the same will be considered as per the provisions of law. It is needless to mention that, the trial Court will take into consideration the law laid down by the Supreme Court for conducting the Narco analysis test.

4) In view of above, nothing survives in the Petition and is accordingly disposed off.

(MILIND N. JADHAV, J.)

(A.S. GADKARI, J.)

SANJIV
SHARNAPPA
MASHALKAR

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