

Vina Khadpe

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
CRIMINAL WRIT PETITION NO.1005 OF 2020

Mukesh Narayan Gade and ... Petitioners
ORS.

Versus

THE STATE OF
MAHARASHTRA AND ORS. ... Respondents

Mr. AMIR MALLIK A/W BHAVANA DUBEPATIL,
Advocates i/b. JAY & CO. *for the Petitioners.*
Ms. M.M. DESHMUKH, APP *for the Respondent -*
State.

CORAM: M. S. SONAK &
N.R. BORKAR, JJ.
DATED : 16th September 2022

P.C.:

1. Heard Mr. Amir Mallik a/w Bhavana DubePatil, learned Advocates for the Petitioners and Ms. M. M. Deshmukh, learned APP for the Respondent.

2. The Petitioners claim to be victim of an economic fraud. They have instituted this Petition seeking transfer of investigation in the five FIRs registered in the matter, to the State CID. They also seek a direction for carrying out a forensic audit so that the guilty persons are brought to book effectively and quickly.

3. This Petition was instituted in the year 2019. Learned counsel for the Petitioners admits by now the investigation have been completed in five FIRs and even the Chargesheets have been filed before the competent Court. He, further, points out that the difficulties faced by the Petitioners and persons similarly placed. He submits that the investigation have resulted in the recovery of hardly an amount of Rs.20 Crores when the amount involved in the fraud is over 50 Crores.

4. In our judgment, now that the chargesheets have already been filed, it will not be appropriate for us to entertain this Petition. Insofar as relief of forensic audit or even the relief for further investigation in the matter are concerned, we grant the Petitioners liberty to take such steps as they are advised in accord with law. The Petitioners should also consider taking out an appropriate proceedings in the Court where the chargesheets have been filed.

5. With the above liberty this Petition is disposed of.

(N.R. BORKAR, J)

(M. S. SONAK, J)