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IN THE HIGH COURT OF JUDICATURE AT BOMBAY**CRIMINAL APPELLATE JURISDICTION****CRIMINAL WRIT PETITION NO. 786 OF 2016**

Balasaheb Ramkisan Kavkase

.. Petitioner

Versus

State of Maharashtra

.. Respondent

None for Petitioner.

Mr. S.S.Hulke, APP for State.

**CORAM : A. S. GADKARI &
MILIND N. JADHAV, JJ.**

DATE : 29th September, 2022.

P.C.:

. By the present Petition, Petitioner has sought a relief of transfer of his case to CBI for investigation.

It is the contention of the Petitioner that, he has been falsely implicated in the case and provisions of MCOC Act have been applied to the crime and therefore investigation of the said case be transferred to CBI.

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 carrying 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. In view of the above, according to us present Petition is misconceived and is accordingly dismissed.

4. Registry is directed to communicate this Order to the Petitioner who as per the Petition is lodged at Yerwada Central Jail, Pune.

[MILIND N. JADHAV, J.]

[A. S. GADKARI, J.]

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