

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

WRIT PETITION NO. 2642 OF 2019

Sudhama Ramlakshan Bhagat. ...Petitioner.
Versus
The State of Maharashtra & Another. ..Respondents.

Mr. Prashant Aher for the petitioner.
Ms. M. H. Mhatre, APP for the respondent – State.

CORAM : PRASANNA B. VARALE &
S.M. MODAK, JJ.

Date : April 4, 2022.

P. C. :

1. By way of present writ petition, the petitioner has prayed for transfer of investigation. Perusal of the material placed on record shows that the petitioner had approached Senior Inspector of Juhu Police Station, Mumbai by submitting a report / complaint on 30th June 2017. It is the grievance of the petitioner that despite of the report pending for a long time, there was no progress in the matter. As such the petitioner by filing present petition has prayed for directions to transfer the investigation.

2. Learned APP Ms. Mhatre submitted a police report dated 4th April 2022. The same is taken on record and marked "X" for identification. The perusal of said police report shows that on receipt of FIR, the investigation was carried out, statements were recorded, notices

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were also issued to the accused persons, their statements were recorded; the investigation agency was unable to put forth sufficient material against the accused persons. Resultantly, in consultation with the senior officers, police inspector of Juhu Police Station submitted A summary report to the Court of Metropolitan Magistrate, 10th Court, Andheri, Mumbai.

3. In view of the police report, learned counsel for the petitioner submitted that the petitioner may be granted liberty to take appropriate steps in protest of "A" summary report submitted by police.

4. In view of the above referred facts, nothing survives for consideration in the petition. The petition is disposed of with liberty as prayed for.

[S. M. Modak, J.]

[Prasanna B. Varale, J.]