



IN THE HIGH COURT OF JUDICATURE AT BOMBAY  
BENCH AT AURANGABAD

39 CRIMINAL WRIT PETITION NO. 1838 OF 2023

Maroti Govind Kadam  
Versus  
The State Of Maharashtra and others

Advocate for Petitioner : Mrs. Rashmi S. Kulkarni with Ms.  
Namita Thole  
APP for Respondents: Ms. Kavita R. Jamdhade

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CORAM : R. G. AVACHAT AND  
SANJAY A. DESHMUKH, JJ.  
DATED : 18<sup>th</sup> DECEMBER, 2023.

**PER COURT :-**

This petition has been filed seeking further investigation and change of investigating officer. The F.I.R. and other related papers were brought to our notice, suggesting that some others have also assaulted the informant and others and they have been left out of the charge sheet and the F.I.R. In our view, the petitioner has equally efficacious remedy to approach the very court and seek appropriate direction in the light of judgment of the Apex Court in the case of ***Sakiri Vasu vs. State of Uttar Pradesh and others, (2008) 2 SCC 409.***

2. So far as regards the transfer of investigation from earlier investigating officer to some one else is concerned, we observe that if the trial court inclined to direct further investigation to be made, the

in-charge officer of the concerned police station shall not invest the very investigating officer with further investigation.

3. Needless to state, if such an application is moved before the concerned court for further investigation, the same would be decided on its own merits.

4. Writ petition stands disposed of.

**(SANJAY A. DESHMUKH, J.)**

**(R. G. AVACHAT, J.)**

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