

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION**

WRIT PETITION NO.4172 OF 2021

Ram Maruti Doiphode

.. Petitioner

Vs.

The Commissioner of Police, Mumbai

.. Respondent

Mr. Mateen Shaikh, with Ms. Afrin Khan, i/by Mr. Afroz A. Siddiqui, for the Petitioner.

Mr. A.R. Kapadnis, APP for the Respondent-State.

Mr. Dinkar Raut, Police Inspector, Sakinaka Police Station, is present.

**CORAM : SUNIL B. SHUKRE & ABHAY S. WAGHWASE, JJ
DATE : 9TH MARCH, 2023.**

P.C. :

1. Heard learned counsel for the petitioner.
2. Perused the complaint filed by the petitioner and also the communication dated 15th February 2023 received by the learned APP from the Police Inspector (Public Relations), Sakinaka Police Station, Mumbai, which is taken on record and marked "A" for identification.
3. We find that although the complaint dated 2nd May 2018 does not make any specific allegations so necessary for disclosing commission of cognizable offence, the Investigating Officer of Sakinaka Police Station has done his level best for unraveling the truth of the matter. He has made intensive investigation into the complaint dated 2nd May 2018, containing sort of vague allegations, and has tried to find out if any offence/offences is/are committed by any of the persons named to be offenders by the petitioner and ultimately, he has found

that Overdraft Account of the company was saddled with huge liability. Some different method was adopted by the six persons named in the report dated 15th February 2023, which is document "A", on the say of the complainant himself for carrying out various transactions on behalf of the company and fulfilling different liabilities of the company. Therefore, having found so, the Investigating Officer submitted a "C" Summary Report to the concerned criminal court, stating therein that the complaint was filed by the petitioner under some misconception. We therefore find that there is no case made out by the petitioner to issue a direction for transfer of the investigation to some other agency.

4. Apart from what is stated above, the petitioner still have an opportunity to appear before the concerned criminal court, which is seized of the "C" Summary Report filed by the Investigating Officer on 21st February 2022, as stated in document "A", and lodge his protest against the same.

5. In view of the above, there is no reason for us to make any interference in the matter. We therefore find that there is no substance in the petition filed for transferring the investigation to another agency and as such the petition stands dismissed with liberty to the petitioner to appear before the concerned criminal court and lodge his protest, keeping all questions open.

[ABHAY S. WAGHWASE, J.]

[SUNIL B. SHUKRE, J.]