

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

CRIMINAL WRIT PETITION NO.3696 OF 2022

Salma Saiffee Savliwala and Anr. ...Petitioners

Versus

The State of Maharashtra and Ors. ...Respondents

Mr. Mikdad Zummerwala a/w Mr. Yusuf Rampurwala, for the
Petitioners.

Ms. S. S. Kaushik, A.P.P for the Respondent – State.

Senior Police Inspector - Mr. Anil Lad from Economic Offences Wing,
Raigad-Alibag, is present.

***CORAM : REVATI MOHITE DERE &
GAURI GODSE, JJ.***

DATE : 10th AUGUST 2023

P.C. :

1. The grievance of the petitioners in the aforesaid petition is that despite an FIR having been registered with the Economic Offences Wing ('EOW'), Raigad-Alibag on 10th August 2021, no investigation has been done by the said Agency, pursuant to the registration of the said FIR and hence, the petitioners by this petition seek transfer of investigation to CBI.

2. On the last date i.e. on 7th August 2023, the learned APP had sought time to take instructions, with respect to what investigation was carried out by the EOW, Raigad-Alibag. We had also directed the Senior Police Inspector, EOW, Raigad-Alibag to remain present before us, with the papers of investigation. Pursuant thereto, Senior Police Inspector - Mr. Anil Lad is present before this Court.

3. Learned APP, on instructions of Senior Police Inspector - Mr. Anil Lad, attached to Economic Offences Wing, Raigad-Alibag, who is present in Court, states that there are more than 4300 investors in the said case and that about 800 flats have been constructed, out of which some buildings have been demolished and as such the investigation will take some time. She submits that the concerned officer is infact investigating the said case and that it will take time to file charge-sheet in the said case. She further states that charge-sheet will be filed within four months and that in the event, the investigation is not over within four months, they will seek an order under Section 173(8) of the Code of Criminal Procedure, for further investigation

and will continue to investigate even thereafter.

4. Considering what is stated aforesaid, nothing survives for further consideration in this petition. The petition stands disposed of accordingly.

5. Needless to state that it is always open for the petitioners to approach this Court in the event the occasion so arises.

6. All concerned to act on the authenticated copy of this order.

GAURI GODSE, J.

REVATI MOHITE DERE , J.