



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

CRIMINAL WRIT PETITION NO. 3241 OF 2023

Janak Mohanlal Engineer

...Petitioner

Versus

The Commissioner of Police and others

...Respondents

Mr. Maniram Gaud for the petitioner

Mrs. P. P. Shinde, APP for the State

Mr. S. B. Desai, PSI, Shil Daighar Police Station

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

DATE : 18th OCTOBER 2023

P.C. :

1. Heard learned counsel for the parties.
2. By this petition, the petitioner seeks transfer of investigation in CR No. 133 of 2023 from Shil Daighar Police Station to either Economic Offences Wing, Mumbai or Crime Branch, Mumbai. Direction is also sought that the new investigating agency be directed to arrest all the accused in connection with the said CR and to file a charge-sheet. In one of the prayer clause, it is prayed that pending the

hearing of this petition, the respondent nos. 2 and 3 be directed not to file any summary report and/or charge-sheet in connection to the said CR.

3. The said petition was filed on 13th September 2023. In view of the order not to place before Sharmila U. Deshmukh, J. passed by the Co-ordinate Bench [Coram: A. S. Gadkari and Sharmila U. Deshmukh, JJ], the aforesaid petition has been placed before us.

4. Learned APP states that pending the petition, the police of Shil Daighar Police Station have filed 'A' summary report in the aforesaid CR i.e. CR No. 133 of 2023. Learned APP has tendered a report dated 18th September 2023. Same is taken on record. She submits that the petitioner has been issued a notice and informed of the filing of the said 'A' summary report.

5. In view of the aforesaid, i.e. the subsequent development, nothing survives for further consideration in the petition. Petition stands disposed of.

6. It is open for the petitioner to pursue other remedies as permissible in law before the appropriate forum. Needless to state that all contentions of all the parties are kept open.

All parties to act on the authenticated copy of this order.

GAURI GODSE, J.

REVATI MOHITE DERE, J.