

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

WRIT PETITION NO.108 OF 2023

Rakesh Kumar

..... Petitioner

Vs.

The State of Maharashtra

..... Respondent

Mr. Gaurang C. Jhaveri i/b Mr. Amey R. Deshpande for the
Petitioner.

Ms. S. S. Kaushik, APP for Respondent-State.

**CORAM : REVATI MOHITE DERE &
SHARMILA U. DESHMUKH, JJ.**

DATE : 3 MAY 2023.

P. C.

1. By this petition the petitioner seeks the following
substantive reliefs:

*"The Hon'ble High Court be pleased to transfer the
Investigation in the FIR (MECR) bearing no.6 of 2021
dated 2/12/2021 for the offence punishable u/s.420,
468, 471, 474 and 120B r/w. 34 of Indian Penal Code
and with u/s 12 of Passport Act registered with BKC
Police Station to any other Investigating agency or to
any other police station for clean and impartial
investigation under the supervision of this Hon'ble
Court."*

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2. Learned APP has filed an affidavit dated

17/3/2023 of the Assistant Police Inspector and the Investigating Officer, Pravin Mahadev Prabhu attached to Juhu Police Station, Mumbai.

3. From the said affidavit, it appears that the petitioner had filed a private complaint under section 156(3) of Cr.P.C. as against his daughter-in-law Anubhuti Singh, alleging that she has given different dates whilst applying for passport. From the affidavit it appears that the police have conducted investigation and have filed an "A" summary report before the learned Metropolitan Magistrate, 71st Court, Bandra, Mumbai dated 1/8/2022.

4. Considering that an "A" summary report has been filed by the police, the question of seeking transfer of the case does not arise.

5. Accordingly, the petition stands dismissed.

SHARMILA U. DESHMUKH, J. REVATI MOHITE DERE, J.