

***IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
CRIMINAL WRIT PETITION NO.1328 OF 2024***

Khushnuma Jameel Shaikh

...Petitioner

Versus

The State of Maharashtra

...Respondent

Mr. Siddharth Singh a/w Mr. Anand Mishra i/b Mr. Ashok M. Saraogi,
for the Petitioner.

Mr. Ajay S. Patil, A.P.P for the Respondent-State.

Sr.P.I.-Dilip Patil from Crime Branch-1, Thane City, is present.

***CORAM : REVATI MOHITE DERE &
PRITHVIRAJ K. CHAVAN, JJ.
DATE : 23rd JULY 2024***

P.C. :

1. Heard learned counsel for the parties.
2. By this petition, the petitioner seeks transfer of the investigation of C.R. No.497 of 2020, registered with the Rabodi Police Station, Thane, for the alleged offences punishable under Sections 302 r/w 34 of the Indian Penal Code; Sections 3 and 25 of the Arms Act and under Sections 37(1)(a) r/w 135 of the Maharashtra Police Act, to a specialized agency.

3. The aforesaid petition was filed on 9th October 2023 seeking the aforesaid reliefs. The petitioner has suppressed in the aforesaid petition that at the time when the aforesaid petition was filed, two charge-sheets were filed by the police i.e. one in February 2021 and second in July 2021.

4. Learned APP states that infact even after filing of the aforesaid two charge-sheets, two more charge-sheets were filed by the police, post filing of the petition i.e. in December 2023 and May 2024. He states that seven accused have been arrested in the said case for suppressing the factum of filing of two charge-sheets in the said petition.

5. For not approaching this Court with clean hands, we deem it appropriate to not only dismiss the petition but also to impose costs on the learned counsel for the petitioner.

6. Accordingly, learned counsel for the petitioner to deposit costs of Rs.25,000/- with the **Bar Council of Maharashtra and Goa Advocate Aid Fund Account No.10996711937; Bank Name: State Bank of India; Branch Name: Mumbai Main Branch; IFSC Code : SBIN0000300**, within two weeks from today.

7. Petition is dismissed in the aforesaid terms and is accordingly disposed of.

PRITHVIRAJ K. CHAVAN, J.

REVATI MOHITE DERE, J.