

IN THE HIGH COURT OF JUDICATURE AT BOMBAY**CRIMINAL APPELLATE JURISDICTION****CRIMINAL WRIT PETITION NO.3937 OF 2024**

Dipak Sitaram Wagh

.....Petitioner

Vs.

The State Of Maharashtra & Anr.

.....Respondents

Mr. Arjun Kadam, for the Petitioner.

Smt. Madhavi H. Mhatre, APP, for Respondent No.1-State.

Adv. Akshata Borode, with Adv. Pranit Sonawane, Adv. Saili Mhaprekar, for Respondent No.2.

PI Mr. Gorakh Dnyanoba Kumbhar attached to Wakad Police Station, Pimpri-Chinchwad present.

**CORAM : A. S. GADKARI AND
DR NEELA GOKHALE, JJ.****DATE : 25th SEPTEMBER, 2024.****PC:-**

1) In pursuance of Order dated 11th September 2024, the Commissioner of Police, Pimpri-Chinchwad Commissionerate, District Pune has filed his detailed Affidavit dated 23rd September 2024. It is stated therein that, the investigation of present crime has now been transferred to Police Inspector Smt. Neeta Gaikwad by the Deputy Commissioner of Police, Zone-2, vide his Officer Order No.281 of 2024 dated 21st September 2024. We are satisfied with the contents of the Affidavit filed by the Commissioner of Police.

2) Learned Advocate for the Petitioner on instructions seeks leave

to withdraw Petition with liberty to avail appropriate alternate remedy before the trial Court, if the Police files charge-sheet.

2.1) Leave and liberty granted.

3) At this stage, learned Advocate appearing for the victim made a grievance that, the earlier Investigating Officer/Investigating Officers have not recorded the statements of witnesses so also the supplementary statement of the victim and therefore, the concerned Investigating Officer may be directed to record it.

4) As noted earlier, the investigation of present crime is now transferred to PI Smt. Neeta Gaikwad. The Respondent No.2 and/or the witnesses of the crime are at liberty to file their representations/statements with the concerned Investigating Officer, if so advised and as may be permissible in law.

5) Petition is accordingly disposed off in the aforesaid terms.

(DR NEELA GOKHALE, J.)

(A.S. GADKARI, J.)