

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH : NAGPUR

CRIMINAL WRIT PETITION NO.14/2024

Rahul s/o. Subhash Borbole

Vs.

State of Maharashtra and Ors.

Office Notes, Office Memoranda of Coram,
 appearances, Court's orders of directions
 and Registrar's orders

Court's or Judge's orders

Mr. R. R. Vyas, Advocate for Petitioner.

Mr. A. B. Badar, A.P.P. for Respondent(s)/State.

CORAM : VINAY JOSHI AND MRS.VRUSHALI V. JOSHI, JJ.

DATED : 08/01/2024.

. Heard.

2. It is the petitioner's grievance that though at his instance the crime has been registered vide Crime No. No.356/2022 on 10.07.2022, however, there is no progress in the investigation. The petitioner a buyer has entered into an agreement with the partnership firm run by the accused for purchase of a shop. Though money was paid long back, the accused/vendor did nothing and thus, the offence of cheating, forgery etc. are registered.

3. The learned Counsel appearing for the petitioner has fairly submitted that the accused have questioned the tenability of the same First Information Report by moving to this Court vide Criminal Application (APL) No.919/2023. In the said application, this Court has directed to go with the investigation but charge sheet shall not be filed without leave of the Court.

4. The petitioner is seeking to transfer of investigation on account of dilly-dally tactics adopted by

the existing investigating agency. Already in another application, the tenability of First Information Report has been questioned.

5. Issue notice to the respondents, returnable after three weeks.

6. Mr. A. B. Badar, learned A.P.P. waives service of notice for respondent(s)/State.

7. This petition be tagged with Criminal Application (APL) No.919/2023.

8. The respondent – Investigating Agency shall inform the status and steps they have taken during the course of investigation.

(MRS. VRUSHALI V. JOSHI, J.)

(VINAY JOSHI, J.)