

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL WRIT PETITION NO.1547 OF 2024

Vijay Bhaskarrao Patil

.....Petitioner

Vs.

The Director Of Central Bureau
Of Investigation, Mumbai & Ors.

.....Respondents

Mr. Sandeep R. Karnik a/w Mr. Vishwajeet Nimbalkar, for the
Petitioner

Mr. Amit Munde, SPP a/w Mr. Parikshit Pawar, for CBI- Respondent
No.1

Mr. V. B. Konde Deshmukh, Addl. P. P, for Respondent-State

CORAM : REVATI MOHITE DERE &

DR. NEELA GOKHALE, JJ.

DATE : 23rd APRIL 2025.

P.C.:-

1. By this Petition, the Petitioner essentially seeks the
following substantive reliefs:

*“b. Hold and declare that the action/decision of
the Respondent No.2 State of Maharashtra to transfer
the investigation into FIR bearing Crime No.3/2021
registered with Kothrud Police Station, Pune City to the
Respondent No.1 Central Bureau of Investigation is
illegal, arbitrary and violative of Article 14 & 21 of the
Constitution of India and hence liable to be quashed
and set aside and for that purpose issue necessary
orders.*

c. Issue of writ of mandamus or any other appropriate writ, order or direction in the nature of writ of mandamus, thereby directing to transfer the investigation into FIR bearing Crime No.3/2021 has been registered with Kothrud Police Station, Pune of Investigation may kindly be stayed and for that purpose issue necessary orders.”

2. Mr. Konde Deshmukh, learned Addl. P.P appearing for the State of Maharashtra and Mr. Munde, learned SPP appearing for the Respondent- CBI state that the Petition does not survive, inasmuch as, the CBI after transfer of investigation to them from the Kothrud Police Station, Pune, has filed a closure report before the learned Special Judge, Pune, on 23rd December 2023. They state that it is now open for the Petitioner to adopt appropriate remedy before the said Court including filing of a protest petition, if the Petitioner so desires.

3. It appears that C.R. No.3 of 2021 registered with the Kothrud Police Station, Pune City was transferred by the State Government vide notification dated 27th July 2022, to the CBI. Pursuant thereto CBI investigated the case and file a closure report in the said case on 23rd December 2023 before the learned Special Judge, Pune.

4. Considering that the CBI has filed a closure report, it is now

open for the Petitioner to file appropriate proceeding before the said Court and contest the same.

5. In view of the above, nothing survives for further consideration in this Petition. The Petition is accordingly disposed off.

6. Needless to state, that we have not gone into the merits or reasons for closing the case and as such, all contentions of all parties on merits are kept open.

(DR. NEELA GOKHALE, J.) (REVATI MOHITE DERE, J.)