
IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

LAXMI
SUBHASH
SONTAKKE

Digitally signed by
LAXMI SUBHASH
SONTAKKE
Date: 2025.07.24
11:27:17 +0530

WRIT PETITION NO. 2871 OF 2025

Vitthal Genuji Dhage & Ors.

.. Petitioners

Versus

The State of Maharashtra & Ors.

.. Respondents

Mr. Ajinkya Badar for the Petitioners.

Mr. Sandeep S. Salunkhe for the Respondent Nos. 5 and 6.

Mr. Sagar Kursija for the Respondent No.4.

Mrs. Rutuja Ambekar, APP for the State.

CORAM: RAVINDRA V. GHUGE &
GAUTAM A. ANKHAD, JJ.

DATE: JULY 21, 2025

P. C.

1. We have considered the submissions of the learned Advocate on behalf of the Petitioners, Respondent Nos. 4 to 6 and the learned APP.

2. The Petitioners have put forth prayer clauses (a), (b), (c) and (d), which are as under:

Laxmi

“(a) This Hon’ble Court be pleased to take on record and allow present Writ Petition and issue Rule.

(b) This Hon’ble Court may kindly be pleased to issue appropriate writ order or direction transferring the investigation of the offence in FIR No. 218 of 2025 registered with the Shirur Police Station under section u/s 115(2), 118(1), 189(2), 190, 191(2), 351(2), 351(3), 352 of the Bhartiya Nyaya Sanhita 2023 to the C.B.I or any other competent investigating agency or the Special investigation team as deemed fit by this Hon’ble Court in the interest of justice.

(c) In the alternative this Hon’ble court may direct the Respondent No.3 to entrust investigation of the subject offence to impartial investigator from his jurisdiction for just, fair and proper investigation with a further direction to the Respondent No.3 to personally monitor the investigation and its progress.

(d) Pending the final hearing of the present petition, this Hon’ble Court be pleased to direct the investigating officer, Shirur Police Station /Respondent No.2, in FIR No. 218 of 2025 to not to file any final report in the said crime and not to take any coercive actions against the Petitioners.”

3. We are informed that, at the behest of the Petitioners, the investigating officers with reference to the FIR No. 0218/2025, registered on 30th March, 2025 with the Shirur Police Station, Pune Rural, have been changed on 3 occasions. The 1st I.O. was Mr. P. G. Gadkar. The 2nd I.O. was Mr. Deepak Karande and the present I.O. is Mr. Shubham Chavan. These facts are not contradicted by the Petitioners.

4. The learned APP is instructed to say that the CCTV footage as well as the CDR data has been collected and the investigation is still in progress.

5. The learned Advocate for the Petitioners submits that the Petitioners are satisfied with the statement made by the learned APP. However, their apprehension of a botched up investigation, refuses to recede.

6. We find that an I.O. cannot be changed repeatedly and at the mere askance. It is only in peculiar circumstances and for strong reasons, that such an order can be passed by the Court. Be that as it may, the third I.O. has already taken over the investigation and the learned APP submits the progress that he has made.

7. In view of the above, we do not find any such circumstances or reasons to invoke our jurisdiction in this case. Hence, **this Writ Petition is dismissed.**

[GAUTAM A. ANKHAD, J.]

[RAVINDRA V. GHUGE, J.]