

IN THE HIGH COURT OF JUDICATURE AT BOMBAY**CRIMINAL APPELLATE JURISDICTION****WRIT PETITION NO. 4850 OF 2025**

Vijayalaxmi Jayand Kumar

... Petitioner

V/s.

The State of Maharashtra & Ors

... Respondents

Ms. Jessy Payne a/w Mr. Richard Payne i/b M/s.Payne & Associates for the Petitioner.

Mr. Ashish I. Satpute, A.P.P. for Respondent No.1-State.

Mr. Vaibhav Deshpande, A.P.I. attached to Bandra Police Station, Mumbai.

CORAM : A. S. GADKARI AND**RANJITSINHA RAJA BHONSALE, JJ.****DATE : 8th DECEMBER, 2025****P.C. :**

1) By this Petition under Article 226 of the Constitution of India, the Petitioner, informant is seeking transfer of investigation of CR No.329 of 2025, registered with Bandra Police Station, Mumbai, under Sections 420, 465, 467, 471 read with 511 and 34 of the Indian Penal Code, 1860.

2) On 24th November 2025, during the course of arguments it was brought to our notice that, the Joint District Registrar, Class-2, (Records Department), Mumbai City by its communication dated 12th February 2025, had requested the police Officer attached to MRA Marg Police Station, Mumbai to lodge a complaint against Mr. Chandrashekhar Reddy, as the said Authority noticed that, *prima facie* a bogus/fabricated document was

prepared by the said person with the aid of an original document which was in the record of the Registrar of Assurances.

3) We had therefore directed the learned APP appearing in the Petition to take instructions from the concerned Police Station. Today we have been informed that, the said complaint was inquired into by the Police Officer attached to MRA Marg Police Station and it is closed.

3.1) We are unable to accept such a submission for the plain and simple reason that, the complainant was not a private individual but was a responsible Government Officer who had requested the Police Inspector attached to MRA Marg Police Station, Mumbai to lodge a complaint for fabricating documents presenting it with Government Authority or used it for a particular purpose. Record further indicates that, the Joint District Registrar of Assurances participated in the inquiry and her statement was recorded on 12th March 2025. In her statement the Joint District Registrar, Class-2, (Records Department), Mumbai has stated that, the issue involved in said inquiry is already subjudiced, so also Police Sub Inspector Mr. Anil Rathod, has conducted inquiry into. The said inquiry was subsequently closed on 17th February 2025. The Petitioner thereafter filed an Application under Section 175(3) of BNSS before the jurisdictional Magistrate. The learned Magistrate by its Order dated 21st February 2025, has directed the Bandra Police Station, Bandra, Mumbai to register offence and investigate into. In this premise present crime is registered.

4) In this background, it is the contention of the Petitioner that, the original document is not yet either traced out by the investigating agency or produced by the accused for fair and impartial investigation of the said crime. It is also the grievance of the Petitioner that, the investigation of present crime is being conducted in lackadaisical manner and therefore transfer of the said investigation is sought for.

5) In view of the above, we deem it appropriate to direct the Deputy Commissioner of Police having jurisdiction over Bandra Police Station Mumbai, to file his detailed reply to the Petition.

The said reply be filed within a period of two weeks from today.

6) Stand over to 23rd December, 2025.

(RANJITSINHA RAJA BHONSALE, J.)

(A.S. GADKARI, J.)