

IN THE HIGH COURT OF JUDICATURE AT BOMBAY**CRIMINAL APPELLATE JURISDICTION****WRIT PETITION NO. 5035 OF 2025**

Gaurav Dharmendra Anand

... Petitioner

Vs.

The State of Maharashtra & Ors.

... Respondents

Mr. Bhavesh Thakur for the Petitioner.Mr. Vinod Chate, APP for the Respondent-State.

CORAM : A. S. GADKARI AND
RANJITSINHA RAJA BHONSALE , JJ.
DATED : 1st DECEMBER, 2025.

P. C. :-

1) A perusal of Affidavit dated 27th November, 2025 affirmed by A.P.I. Shri. Yogesh Bhosale, attached to Vashi Police Station, Navi Mumbai indicates that, it is as vague as possible. The steps taken by the Investigating Agency to apprehend principal accused after rejection of her Anticipatory Bail Application on 17th July, 2025 have not been stated therein. Upon a query by this Court, it was informed through APP that, till date the concerned officer has not filed an application under Section 82 of Cr.P.C. for declaring the concerned accused as absconding.

At this stage, the concerned officer through APP submitted that, the accused has delivered a baby two months ago. It is thus clear

that, the Investigating Officer is aware of the whereabouts of the accused person. In this background, the Investigating Officer makes a statement in Affidavit that, the investigation is completed and the charge-sheet is filed against the 'Petitioner'. The Petitioner herein is the informant in crime of which transfer of investigation is being sought by the present Petition under Article 226 of the Constitution of India. After reading the said Affidavit, we are appalled to note this statement that, the charge-sheet is filed against the Petitioner in the present crime.

2) In view of the above, we deem it appropriate to direct the Joint Commissioner of Police, Navi Mumbai to file his detailed reply to the Petition.

2.1) Said reply be filed within a period of two weeks from today.

3) Stand over to 22nd December, 2025.

(RANJITSINHA RAJA BHONSALE, J.)

(A. S. GADKARI, J.)