

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION**

WRIT PETITION NO.5299 OF 2025

Ramesh Bhiku Prajapati Petitioner
versus
The State of Maharashtra Respondent

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- Ms. Shabana Mashkoo Ali Syed, Advocate for Petitioner.
- Ms. Supriya Kak, APP for the State/Respondent.

**CORAM : SARANG V. KOTWAL &
SANDESH D. PATIL, JJ.**
DATE : 17th MARCH, 2026

P.C. :

1. This Petition is filed by the father of the victim girl who had committed suicide. The main prayer in this Petition is for transfer of investigation and for addition of certain sections.

2. In this case, the charge-sheet is already filed. After hearing learned counsel for the Petitioner and the learned APP, when we expressed our doubts as to whether the case is made out for the transfer of investigation; the learned counsel for the Petitioner sought permission to withdraw this Petition. Her limited prayer before us today was :

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- (i) Directing the investigating agency to expedite the process of getting FSL report regarding mobile phone of the accused;
- (ii) Addition of certain sections relating to offences.

3. As far as the request for directions to the police to expedite the process of getting FSL report is concerned, it is quite reasonable and can be granted. As far as for addition of certain sections is concerned, the Trial Court, at the stage of framing of the charges can add sections which are not added by the investigating agency. This is the prerogative of the Trial Court. This observation at this stage would be sufficient.

4. Hence, the following order :

ORDER

- (i) The Petition is allowed to be withdrawn.
- (ii) The investigating agency is directed to expedite the process of getting the FSL report regarding the mobile phone of the accused. The In-charge

of Forensic Science Laboratory, where the analysis is being conducted, is directed to complete the process as early as possible.

- (iii) The Trial Court shall frame charges under different heads based on the investigation papers contained in the charge-sheet, not restricted to the sections applied by the investigating agency while submitting the charge-sheet.
- (iv) With this observations, the Petition is disposed of.

(SANDESH D. PATIL, J.)

(SARANG V. KOTWAL, J.)