

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

**WRIT PETITION NO.5988 OF 2025**

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Gaurav Sri Kalyan  
s/o Shri. Jayant Kumar Gupta  
Vs.

.. Petitioner.

State of Maharashtra & Ors.

.. Respondents

None for Petitioner.

Mr. K.V. Saste, Additional GP for State- Respondent No. 1.

**CORAM : SHREE CHANDRASHEKHAR, CJ. &  
GAUTAM A. ANKHAD, J.**

**DATE : 18<sup>th</sup> FEBRUARY 2026.**

**P.C. :**

No one appeared yesterday i.e. on 17<sup>th</sup> February 2026. Today also no one appears.

2. Writ Petition is filed for following reliefs :

- “(a) The investigation in CR No. 214 of 2025 registered with Matunga Police Station be transferred to Central Agency or any other Police Station under supervision of superior officer of the Rank of DCP;
- (b) To direct the Investigating Officer to carry out further investigation / reinvestigation in the CR No. 214 of 2025 registered with Matunga Police Station taking into consideration the complete statement of the Petitioner attached to Exhibit “B” hereto;
- (c) Pending the order in terms of prayer clauses (a) and (b) above, the Respondent be directed to not file Charge-sheet;
- (d) Ad-interim and interim reliefs in terms of prayer clauses (a) to (c) hereinabove, be granted.”

3. It is the case of the Petitioner that he was residing at “Laxmi Sadan”, a building situated at Dadar (E), Mumbai which was originally owned by his paternal uncle and after his demise, the petitioner was residing there and had possession of the said property. On 8th September 2025, some unknown persons forcefully entered the said premises wherein the petitioner was residing and held him

captive from 2:00 PM to 10:00 PM by brandishing arms and weapons with a motive to usurp the property and dispossess the petitioner. A particular grievance of the petitioner is that the investigating authorities have acted in a lackadaisical manner and are hand-in-glove with the accused. It is in this backdrop that the petitioner is seeking transfer of investigation to another investigating authority and direct re-investigation in C.R. No.214 of 2025 registered with Matunga Police Station, Mumbai.

4. It is settled law as held by Hon'ble Supreme Court in "*Sujatha Ravi Kiran v. State of Kerala*"<sup>1</sup> that power of transferring investigation must be exercised only in rare and exceptional cases when there is lack of confidence in investigating agency or in national interest and for doing complete justice in the matter. In the present case, there is no material on record to indicate that the investigation by the State police is tainted, perfunctory or lacking in *bona fides*.

5. In view of above, Writ Petition no. 5988 of 2025 is dismissed.

**[GAUTAM A. ANKHAD, J.]**

**[CHIEF JUSTICE]**

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<sup>1</sup> (2016) 7 SCC 597