

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD
SPECIAL CRIMINAL APPLICATION (DIRECTION - TO TRANSFER
INVESTIGATION TO CID) NO. 3487 of 2016

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MANISH CHHOTUBHAI MAHYAVANSHI....Applicant(s)

Versus

STATE OF GUJARAT & 3....Respondent(s)

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Appearance:

MR P B KHAMBHOLJA, ADVOCATE for the Applicant(s) No. 1

MR. HARDIK S. SONI, APP for the Respondent(s) No. 1

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CORAM: HONOURABLE MR.JUSTICE A.Y. KOGJE

Date : 24/05/2016

ORAL ORDER

Notice returnable on 09.06.2016.

The learned advocate for the applicant submits that the applicant is being falsely implicated in the offence though he was 150 km away from the place when the offence had taken place and but for the high handed behaviour of Respondent No.3 who is investigating the offence, the applicant could not have been implicated as accused. The learned advocate relies upon Clause 137 of the Gujarat Police Manual, 1975 Vol-III and submitted that the Police is duty bound to investigate that circumstances also which may be brought forward by the accused persons.

Considering the over all facts of the case, no coercive

action till then in connection with CR No. I -34/2016 registered with Dungra Police Station, District: Valsad qua the applicant.

The applicant is at liberty to move an application for Anticipatory Bail and if any such application is made, the concerned Court shall consider the same without being influenced by this order. The Original Photograph may be submitted before the Registry.

Direct Service permitted.

(A.Y. KOGJE, J.)

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