

Mr. Mukul Rohatgi, Sr. Adv.
Mr. Keshav Mohan, Adv.
Mr. Prashant Kumar, Adv.
Mr. Rishi Kumar Awasthi, Adv.
Mr. Piyush Vatasana, Adv.
Ms. Ritu M. Arora, Adv.
Mr. Santosh Kumar - I, AOR

Mr. Tushar Mehta, SG
Mr. Rajat Nair, Adv.
Mr. Kanu Agrawal, Adv.
Mr. B.V. Balram Das, AOR

Mr. Abhishek Kumar, AOR
Mr. Kamlesh Kumar, Adv.

UPON hearing the counsel the Court made the following
O R D E R

Heard Mr. Shyam Divan, learned senior counsel for the petitioner, Mr. Mukul Rohatgi, learned senior counsel for the State of Bihar and Mr. Vikas Singh, learned senior counsel for Respondent no. 2 (Complainant). Also heard Mr. R. Basant, learned senior counsel appearing for the State of Maharashtra (Impleader) and Mr. Tushar Mehta, learned Solicitor General of India, who is representing the Union of India.

The Interlocutory Application filed by the petitioner to implead the State of Maharashtra as Respondent No. 3 stands allowed.

Mr. Abhishek Kumar, learned counsel appearing for the applicant in Criminal Miscellaneous Petition No. 71895 of 2020 submits that he may be permitted to withdraw this application. Having considered the submission of the counsel, the Criminal Miscellaneous Petition No. 71895 of 2020 stands dismissed as withdrawn.

The Interlocutory Applications for exemption from filing notarized affidavit and Vakalatnama stand allowed.

This Transfer Petition is filed for transfer of the FIR No. 241 of 2020 dated 25.07.2020 registered at the Rajeev Nagar Police Station, Patna and pending within the jurisdiction of the Additional Chief Judicial Magistrate 3, Patna Sadar at Patna, to the Authorities of the Bandra Police Station and the Additional Chief Metropolitan Magistrate, Bandra, Mumbai. The proceeding emanates from the unfortunate death of the actor, Sushant Singh Rajput on 14.06.2020, following which, the Mumbai Police had initiated proceedings under Section 174 of the Cr.P.C.

Apprehending that all facets of the death of the Complainant's son will not be investigated properly by the Mumbai police, the respondent no. 2/ Krishna Kishore Singh (father of the deceased Actor) has filed the above FIR on 25.07.2020, which led to registration of the case by Rajeev Nagar Police Station, Patna.

Several allegations are leveled against the petitioner in connection with the suicidal death of the Actor and, therefore, she has filed this Petition for transfer of the proceedings from the Bihar Police to the Mumbai Police Authorities.

Mr. Mukul Rohatgi, learned senior counsel for the State of Bihar submits that the Bihar Police has already decided to entrust the investigation of the case registered in the Rajeev Nagar Police Station, Patna to the Central Bureau of Investigation(CBI). Appearing on behalf of Union of India, Mr. Tushar Mehta, learned Solicitor General submits that, in principle, the Authorities have

decided to accept the request of the Bihar Police Authorities.

Mr. Shyam Devan, learned senior counsel appearing for the petitioner submits that the case is registered at the instance of respondent no. 2 by the Patna Police Authorities, without any jurisdiction.

Similar submission is made by Mr. R. Basant, learned senior counsel appearing for the State of Maharashtra. He projects that the Bandra Police Authorities are conducting a professional investigation and he be given time to place on record the stage and nature of the investigation, conducted so far.

Mr. Vikas Singh, learned senior counsel for the Complainant/respondent no. 2 submits that the Complainant is apprehensive about misdirection of the investigation by the Mumbai Police and, therefore, the Bihar Police Authorities should be permitted to carry on their investigation into the suspicious circumstances on the death of the son of the Complainant.

Having considered all the above submissions, three days time is granted to all parties to place on record their respective stand in the matter. The State of Maharashtra should apprise the Court on the stage of investigation by the Mumbai Police by the next date.

The matter be listed in the next week.

(ASHWANI KUMAR)
COURT MASTER (SH)

(R.S. NARAYANAN)
COURT MASTER (NSH)