

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

WRIT PETITION NO. 1801 OF 2015

Swaminath Gurumutunjay Kiritmath. ..Petitioner.

Versus

Smt. Srubai Irrayaa Hiremath
and Another. ..Respondents.

Mr. V. V. Purwant for the Petitioner.
Mrs. U. V. Kejriwal, learned APP for the State.

Coram : RANJIT MORE &
SMT. ANUJA PRABHUDESSAI, JJ.
Date : **June 8, 2015.**

P. C. :

1. Mr. Purwant, learned Counsel appearing for the Petitioner states that he is not pressing relief claimed in prayer clause (b).

2. By the relief claimed in prayer clause (a), the Petitioner seeks direction to the investigating officer to collect information from the mobile service provider of 1st Respondent's Mobile Number in respect of her call made on 7th January 2015. Learned APP for the State having taken instructions from the concerned Officer, makes a statement that after completion of investigation, charge-sheet is already filed before the concerned Magistrate.

3. At the instance of the Petitioner, who is an accused in C.R.No.4 of 2015, for the offence punishable under section 354 of the Indian Penal Code, 1860, we are not inclined to give direction as sought for. The petition is therefore dismissed.

4. Mr. Purwant states that liberty may be granted to file discharge application before the learned trial Court. Since the charge is not yet framed, the Petitioner is always at liberty to file such application.

[SMT. ANUJA PRABHUDESSAI, J.]

[RANJIT MORE, J.]