

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY,
BENCH AT AURANGABAD**

CRIMINAL WRIT PETITION NO. 1532 OF 2015

Sanjay s/o Murlidhar Borude

.. **PETITIONER**

VERSUS

The State of Maharashtra
& others

.. **RESPONDENTS**

Mr. N.L. Jadhav, advocate for petitioner.

Mr. K.S. Patil, APP for the State.

Mr. M.S. Bhosale, advocate for respondent no. 4.

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**CORAM : R.M. BORDE &
K. L. WADANE, JJ.
DATE : 7th APRIL, 2016.**

PER COURT :

1. It is pointed out that in view of judgment of delivered by the Apex Court in the matter of Shreya Singhal vs. Union of India in Writ Petition (Crl) No. 167 of 2012 decided on 24.03.2015 reported in **2015(5) SCC 1**, the prosecution against petitioners and other accused under the provisions of section 66A of the Information and Technology Act cannot proceed since the Apex Court has declared the aforesaid provisions as ultra vires to the constitutional provisions. The proceeding initiated against accused under the aforesaid provisions i.e. section 66-A of the Information and Technology Act stands quashed. So far as prayer made by petitioner in respect of quashment of the proceedings initiated against him under section 354(d) of the Indian Penal Code is concerned, since it is informed that charge sheet has been presented to the trial Court, it would be open for the petitioner to avail of the alternate remedies available in law for redressal of his

grievances. Keeping the option to avail of alternate remedies available in law for redressal of grievances in respect of quashment of charges initiated under the provisions of Indian Penal Code open for the petitioner, criminal writ petition stands disposed of.

2. Pending civil application, if any, does not survive and stands disposed of.

(K. L. WADANE)
JUDGE

(R. M. BORDE)
JUDGE

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