

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

WRIT PETITION NO.617 OF 2016

Faisal Wadgama

.. Petitioner

-Versus-

State of Maharashtra & Ors.

..Respondents

Mr. Mahesh Jethmalani, Senior Advocate with Mandar Goswami for
petitioners

Mr.J.P.Yagnik, APP for State.

CORAM : NARESH h. PATIL &
PRAKASH DEU NAIK, JJ.

DATE : 7th July 2016.

P.C.

1] Learned APP submits that the petitioner was arrested on 5th July 2016. Learned APP further states that charge sheet has been filed against the other co-accused. On instructions he states that sofar as petitioner is concerned, the charge sheet has not been filed.

2] Learned Senior Counsel appearing for petitioner, on instructions, submits that the petitioner would file appropriate application for bail in the special court. The learned Senior Counsel prays that the petitioner be permitted to raise all the grounds inter alia one regarding non applicability of the MCOCA.

3] Without expressing any opinion on the merits of the grounds, which would be raised by the petitioner, we observe that the petitioner may raise appropriate grounds relating to and in respect of applicability or otherwise of MCOCA. Such an application, if filed, shall be dealt with by the special court in accordance with law on its own merits at the earliest. With the liberty as above, petition is disposed of.

(PRAKASH DEU NAIK, J)

(NARESH H. PATIL, J)