

Sarnobat

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION**

CRIMINAL WRIT PETITION NO. 2361 OF 2017 OF

Mr. Chandrakant Mahadev Vartak. .. Petitioner
Vs.
Haribhau Vithal Patil & Anr. .. Respondents

Mr. S. Y. Katkade I/b. Nirmala Gopal, Advocate for the Petitioner.
Mr. S. V. Gavand, APP for the Respondent/State.

CORAM : SMT. ANUJA PRABHUDESAI, J.

DATE : 11th OCTOBER, 2017.

P. C. :

1. The petitioner has challenged the order dated 29th January, 2014 whereby the Learned Magistrate has issued process under section 323, 506 and 427 of IPC.
2. The present petition is filed after more than three years. The delay in filing the petition is itself the ground for dismissing the petition.
3. The petitioner also had an alternative and efficacious remedy. The petitioner has not chosen to avail the alternate remedy.

Hence I am not inclined to invoke the writ jurisdiction.

4. Writ Petitioner is dismissed.

[ANUJA PRABHUDESAI, J]