

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

CRIMINAL WRIT PETITION NO.4320 OF 2014

Sanjay Tanaji Waghmode & Ors. ...Petitioners

Versus

The State of Maharashtra & Anr. ...Respondents

.....

Mr. Ritesh Thobde for the Petitioners.

Mrs. Jayshree Gite i/b. Mr. Ashok Tajane for the Respondents

**CORAM : A.S. OKA &
SMT. ANUJA PRABHUDESSAI, JJ.**

DATED: 24th FEBRUARY, 2017.

P.C.:-

The learned counsel appearing for the second Respondent has placed on record a certified copy of the Roznama of Special Case No.49 of 2014. It records that on 10th January, 2017 and 2nd February, 2017 one witness each has been examined. Accused were present at that time. As trial has commenced and evidence of two prosecution witnesses has been already recorded, we decline to entertain the Petition under Article 226 of the Constitution of India where challenge is to the First Information Report. Accordingly, the Petition is disposed of. However, all contentions raised by the Petitioners are expressly kept open.

(ANUJA PRABHUDESSAI, J.)

(A.S. OKA, J.)