

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
CRIMINAL WRIT PETITION NO.4428 OF 2016**

Ajit Shyam Sunder Singh

...Petitioner

Versus

The State of Maharashtra & Ors.

...Respondents

...

Ms Manisha Prajapati i/b. Mr. Satish R. Mishra for the Petitioner.

Ms M.H. Mhatre, AGP for Respondent Nos.1 and 2.

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

DATED : 6th JANUARY, 2017.

P. C. :

By this Petition filed under the Article 226 of the Constitution of India, a prayer is made for quashing of the First Information Report for the offence punishable under Section 376 of the Indian Penal Code.

2. The learned counsel appearing for the Petitioner seeks time. The learned APP for the Respondent No.1-State on instructions states that a charge sheet has been already filed. In view of this statement, we decline to entertain this Petition under the Article 226 of the Constitution of India. However, statutory remedy available to the Petitioner is kept open. All contentions on merits are kept open.

(ANUJA PRABHUDESSAI, J.)

(A.S. OKA, J.)