

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

CRIMINAL WRIT PETITION NO.1636 OF 2018

Azhar @ Ajroddin Rashid Patel

.. Petitioner

Vs.

The State of Maharashtra & Anr.

.. Respondents

.....
Mr.U.Agandsurve, Advocate for the Petitioner.

Mr.V.B. Konde - Deshmukh, Addl.P.P. for Respondent - State.

.....

**CORAM : R.M. SAVANT AND
PRAKASH D. NAIK, JJ.**

DATED : JUNE 26, 2018.

P.C. :

The above petition has been filed for quashing and setting aside of the FIR bearing C.R. No.528 of 2017, registered with Jodhbavi Peth Police Station, Solapur, for the offences punishable under Sections 376, 341 and 506 of the Indian Penal Code. We have with the assistance of the learned counsel for the petitioner and the learned Addl. PP gone through the FIR. On such perusal, we find *prima facie* that the ingredients of the offence of Section 376 against the petitioner are made. It therefore cannot be said that the petitioner has been wrongly roped in a case involving an offence under the said provisions. We

are refraining ourselves from making any elaborate comments on merits, lest it affects the petitioner at trial. We however do not deem this a fit case to exercise our writ jurisdiction. The Writ Petition is, accordingly, dismissed.

(PRAKASH D. NAIK, J.)

(R.M. SAVANT, J.)