

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

CRIMINAL WRIT PETITION NO.1019 OF 2018

Mohammed Shamim Mohammed Yaseen Momin : Petitioner.
Versus
Sr.Inspector of Police
Bhiwandi City Police Station
Bhiwandi (W) and ors. : Respondents.

Mr. M A Khan for the Petitioner.
Mr. R M Pethe, APP for the Respondent/State.

**CORAM : R. M. SAVANT &
SARANG V. KOTWAL, JJ.**
DATE : 27th MARCH 2018

P.C.

1 The above Writ Petition has been filed for revocation of the offence under Section 307 of the Indian Penal Code from the FIR which has been registered against the Petitioner. The said revocation is sought on the ground that the ingredients of the said offence are not made out in the FIR.

2 It is not possible for us in the writ jurisdiction of this Court at this stage to express any opinion one way or the other in so far as the offence under Section 307 of the Indian Penal Code is concerned. It is required to be noted that what is sought is only the revocation of the offence under Section 307 of the Indian Penal Code and not quashing of the entire FIR which includes offences under Sections 323, 324, 325 and 326 of the Indian Penal Code.

3 In that view of the matter, the interdiction of this Court is not warranted. The above Writ Petition is accordingly dismissed.

[SARANG V. KOTWAL, J]

[R.M.SAVANT, J]