

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
CRIMINAL WRIT PETITION NO. 1774 OF 2018**

Yogesh Rajendra Bhalerao @ Pappu & Ors. ...Petitioners
Versus
The State of Maharashtra & Ors. ...Respondents

Mr. Nitin Satpute i/b Ms. Divya R. Gupta for the Petitioners

Mrs. P. P. Shinde, A.P.P for the Respondent-State

***CORAM : R. M. SAVANT &
REVATI MOHITE DERE, JJ.
THURSDAY, 16th AUGUST 2018***

P.C. :

1 Having regard to the fact that the FIR which has been registered for the offences, amongst which, is the offence punishable under Section 498A with the Hingoli Police Station, the jurisdiction to entertain a Petition challenging the said FIR would be of the Aurangabad Bench of this Court.

2 The Petitioner No. 1 is an handicapped person. Our attention is drawn to Section 12 of the Rights of Persons with Disabilities Act, 2016 to

justify the invocation of the jurisdiction of this Court against the FIR which is registered in Hingoli. We are afraid that the said provision would not assist the Petitioners, in any manner, to invoke the jurisdiction of this Court. Upon this, the learned counsel appearing for the Petitioners states that he would move the Aurangabad Bench of this Court within four weeks from date.

3 We are informed by the learned A.P.P Mrs. Shinde that the first informant i.e. the wife of the Petitioner No. 1 is also a handicapped person.

4 The cause for moving the above Writ Petition is the notice received by the Petitioners referable to Section 41A of the Code of Criminal Procedure.

5 We permit the Petitioners to withdraw the above Petition so as to approach the Aurangabad Bench of this Court. Petition disposed of accordingly. However, in the special facts and circumstances of this case, we are of the view that the matter may not be precipitated with by the police for a period of four weeks from date. The said protection would

come to an end at the end of the period of four weeks i.e. on 13th September 2018.

REVATI MOHITE DERE, J.

R. M. SAVANT, J.