

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
CRIMINAL WRIT PETITION NO. 2131 OF 2016**

Kanhyaalal Bachhumal Althakkar	...Petitioner
Versus	
Senior Inspector of Police & Ors.	...Respondents

Mr. R. D. Soni i/b Ram & Co. for the Petitioner

Mr. K. V. Saste, A.P.P for the Respondent-State

***CORAM : R. M. SAVANT &
REVATI MOHITE DERE, JJ.
FRIDAY, 13th JULY, 2018***

P.C. :

1 The learned A.P.P Mr. Saste informs us that the charge-sheet has already been filed, wherein the Petitioner has been arraigned as an accused.

2 The defence of the Petitioner is that he was an expert Director appointed by the Board of the Jhulelal Nagri Sahakari Patsanstha Maryadit, Nashik and therefore was not involved with the day-to-day administration of the said Patsanstha.

3 It is not possible for us in our writ jurisdiction to delve into the factual aspects and record a finding one way or the other. It would be open for the Petitioner to invoke the statutory remedy available in the Code of Criminal Procedure by way of discharge, if so advised.

4 Needless to state that if any application for discharge is filed by the Petitioner within four weeks from date, the concerned Court would dispose of the same expeditiously and not later than 31st December 2018.

5 With the directions as aforesaid, the Writ Petition is disposed of.

REVATI MOHITE DERE, J.

R. M. SAVANT, J.