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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
CRIMINAL WRIT PETITION NO. 3547 OF 2017

Rahul Chaturvedi S/o. Umakant Chaturvedi ...Petitioner
Versus
The State of Maharashtra ...Respondent

Mr. Anand Mishra i/b Mr. A. M. Saraogi for the Petitioner

Mr. Avinash Kamkhedkar, A.P.P for the Respondent-State

CORAM : R. M. SAVANT &
REVATI MOHITE DERE, JJ.
THURSDAY, 5th JULY, 2018

P.C. :

1 The learned A.P.P Mr. Kamkhedkar points out that the charge-sheet has been filed in July 2017. The above Petition has been filed for quashing of the charge-sheet, which has been filed for the offences punishable under Section 41D of the Code of Criminal Procedure, under Section 124 of the Maharashtra Police Act and under Sections 5 and 7 of the Specified Bank Notes (Cessation of Liabilities) Act, 2017.

2 The gravamen of the allegation in the FIR is revolving around the recovery of the demonetized notes allegedly belonging to the Petitioner.

The learned counsel for the Petitioner sought to draw our attention to the statements, etc. which are forming part of the charge-sheet to buttress his submission that the Petitioner has no connection with the said notes and that he has been arraigned as an accused only on the basis of the statement of a trustee of the trust in question.

3 We are unable to accede to the request of the learned counsel for the Petitioner to delve into the factual aspects in our jurisdiction under Article 226 of the Constitution of India. The Writ Petition is accordingly dismissed.

4 Needless to state that if an application is filed by the Petitioner for invoking the statutory remedy available to the Petitioner under the Code of Criminal Procedure, the same would be heard and decided on its own merits in accordance with law.

REVATI MOHITE DERE, J. ***R. M. SAVANT, J.***