

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

WRIT PETITION NO.186 OF 2019

Mallikarjun Sharnappa Bankapure ... Petitioner

Versus

State of Maharashtra and anr. ... Respondents

Mr. Prasanna Shahane h/f Mr.Milind Deshmukh for the Petitioner.

Mr. F.R. Shaikh, APP for the respondent State.

**CORAM : B.P. DHARMADHIKAKRI &
REVATI MOHITE DERE, JJ.**

DATE : FEBRUARY 21, 2019

P.C.:

The effort of the petitioner is to urge that the work of dismantling the hoardings was not done by him. The pleadings however, show the qualification that in the absence of any contract with railways, the petitioner cannot be said to be the person entrusted with the work.

2. In criminal matters whether the hoarding was dismantled by the legally authorized contractor or by unauthorized contractor is not very relevant. In any case, the investigation will bring on record the relevant facts.

3. In this view of the matter, without observing anything on merits of controversy and keeping all the contentions of the petitioner open, we refuse to intervene in extra ordinary jurisdiction. Writ Petition is rejected.

(REVATI MOHITE DERE, J.) (B.P. DHARMADHIKARI, J.)