

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

CRIMINAL APPLICATION (APL) NO.89 OF 2019

Ahmed Hussain Mangru Hussain Siddiqui ...Applicant

vs.

The State of Maharashtra and Anr. ...Respondents

Ms. Sonal V. Parab i/b Rajeev Sawant & Associates for the Applicant.
Smt. S. D. Shinde, APP for the Respondent-State.

**CORAM : B. P. DHARMADHIKARI &
SMT ANUJA PRABHUDESSAI, JJ.
DATE : 13/02/2019.**

P.C.:

. Submission is offence under section 307 of IPC is not made out against the applicant. Contention is earlier also said effort was made, when the matter was looked into by this Court, section 307 of IPC was brought thereafter. Learned counsel states that after completing investigation, charge-sheet is presented against two other accused but present applicant is not charge-sheeted.

2. During hearing we find that Anticipatory Bail Application preferred by the present applicant is rejected by this Court and matter is now pending before the Hon'ble Apex Court.

3. Perusal of statement recorded on 21/6/2018 and 23/6/2018 does not rule out involvement of section 307 in the present matter. The applicant appears to be not available to police for interrogation and therefore no charge-sheet is filed against him.

4. In this situation, we are not inclined to intervene in the matter.
The application is rejected.

(SMT ANUJA PRABHUDESSAI, J.)

(B. P. DHARMADHIKARI, J.)