

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

WRIT PETITION NO.640 OF 2019

Sujit Vitthal Sutar

...Petitioner

vs.

The Commissioner of Police and Ors.

...Respondents

Mr. Rahul Arote for the Petitioner.

Mr. Arfan Sait, APP for the Respondents.

**CORAM : B. P. DHARMADHIKARI &
PRAKASH D. NAIK, JJ.**

DATE : 27/03/2019.

P.C.:

. Learned APP has raised preliminary objection. He pointed that the order dated 1/2/2017 and findings therein are not pointed out to this Court in the present petition. We find that the said Writ Petition No.4540/2016 was filed by the petitioner through present advocate only.

2. Question before us was whether stand that because of ill-health relatives of accused had taken and admitted him at the hospital was taken in Writ Petition No.4540/2016. There was no such stand in that petition. The stand has been taken thereafter.

3. We therefore reject the present petition. We are not passing any further order against the petitioner for attempting to mislead the Court. However, observations of this Court made today shall be pointed out by him to the concerned authority as part of his application for any leave.

4. The writ petition is dismissed.

(PRAKASH D. NAIK, J.)

(B. P. DHARMADHIKARI, J.)