

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY  
CRIMINAL APPELLATE JURISDICTION  
WRIT PETITION NO. 2853 OF 2018**

|                                  |                |
|----------------------------------|----------------|
| Mohd. Sahjad @ Saaju Yakub Malik | ...Petitioner  |
| Versus                           |                |
| The State of Maharashtra & Anr.  | ...Respondents |

Ms. Shweta Indrasen Singh for the Petitioner

Mrs. S. D. Shinde, A.P.P for the Respondent No.1-State

Mr. Shrinivas G. Singh for the Respondent No. 2

**CORAM : B. P. DHARMADHIKARI &  
REVATI MOHITE DERE, JJ.  
TUESDAY, 5<sup>th</sup> FEBRUARY 2019**

**P.C. :**

1            Heard learned counsel for petitioner. She submits that complainant/respondent No. 2 has given consent for quashing.

2            Learned A.P.P has invited our attention to the statement recorded while registering FIR and also to antecedents of petitioner.

3            Report shows involvement of more than five persons in crime and the offence registered is under Sections 307, 323, 504, 143, 144, 147, 148 and 149 of the Indian Penal Code.

4           The other accused persons have not approached this Court and it appears that respondent No. 2 has not given consent to other accused persons.

5           Antecedents brought on record show that 4 offences of similar nature are registered against petitioner at Mulund Police Station, 9 offences are registered at Bhandup Police Station. Similarly, 7 offences of similar nature are registered even against respondent No.2/complainant. Learned A.P.P also points out that respondent No. 2 is also externed for about 2 years.

6           In this situation, we are not inclined to intervene in extraordinary jurisdiction. Rejected.

**REVATI MOHITE DERE, J.**

**B. P. DHARMADHIKARI, J.**