

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

WRIT PETITION NO. 4101 OF 2018

Sharad Dattatray Jadhav ... Petitioner

Versus

State of Maharashtra and Ors. ... Respondents

Mr. Ramesh Dube Patil a/w Adv Khushbu Marwadi i/by Jaya & Co. for the Petitioner.

Mr. Sandesh Patil for R. No. 4.

Shri. S.R. Shinde, APP for the respondent State.

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

DATE : JANUARY 09, 2019

P.C.:

Heard learned counsel for the petitioner.

2. It is contended on behalf of the petitioner that ignoring the fact that on the very day of incident i.e. on 13/8/2016 only, the petitioner had first gone to the police station and it is police who forwarded him for medical examination, in final report, unwarranted note has been added which records that the petitioner has lodged the report belatedly after 7 days that too after deliberations and by way of afterthought. Learned APP points

out that there are allegations and counter allegations between the parties and final report is already presented to the competent court.

3. If there is material on record which supports the case of the petitioner, petitioner can point out the same to the trial court and also demonstrate how unnecessary note has been added as part of the chargesheet.

4. We cannot in writ jurisdiction, at this stage go into any disputed issue. Hence, keeping the contentions open and with a liberty to the petitioner to raise the same at appropriate juncture, we dispose of the present petition.

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