

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

**CRIMINAL WRIT PETITION NO. 5905 OF 2018**

Mr. Sarveshdhar Divedi & Anr.

**... Petitioners**

**V/s.**

The State of Maharashtra & Anr.

**... Respondents**

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Mr.Vinay Kumar for the Petitioner.  
MrK.V. Saste, APP. for the Respondent.  
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**CORAM : B.P.DHARMADHIKARI, &  
REVATI MOHITE DERE, JJ.  
DATE : 06<sup>th</sup> FEBRUARY, 2019**

**P.C.:**

1. Heard learned Counsel. Perused statement of complainant recorded on 17.11.2017. The statement shows beating with iron rod on left knee and bleeding injury.
2. Learned Counsel argues that ingredients of Section 326 of IPC are not satisfied, name of other accused is not correctly stated and in relation to very same incident, a cross report was lodged which has been registered as non-cognizable one.
3. We find several disputed questions arising which cannot be answered in this jurisdiction.
4. Hence, keeping contentions of Petitioners open and with liberty to them to raise the same before the Trial Court at appropriate

juncture, we dispose of the present petition. No costs.

**(REVATI MOHITE DERE, J.)**

**(B.P.DHARMADHIKARI, J.)**