

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
CRIMINAL APPLICATION NO. 384 OF 2017**

Kamlesh S. Manghnani ... Applicant
V/s.
The State of Maharashtra and anr. ... Respondents

Mr. Kamlesh S. Manghnani, Applicant in person.
Mr. S.R. Shinde, APP for the Respondent – State.

**CORAM : B.P. DHARMADHIKARI &
N.R. BORKAR, JJ.**
DATE : JANUARY 31, 2020.

P.C.

1] The applicant in person, who has recently obtained the degree in Law, is attempting to demonstrate that the offence under section 339 of IPC is not made out.

2] Perused the FIR. We are not in a position to appreciate the contention.

3] The applicant submits that a false story has been pressed into service in the FIR and there are no independent witnesses.

3] Investigation is already complete and the charge-sheet has also been filed. We find that the fact of restraint put upon

the applicant's movement has been brought on record by the complainant.

5] In this situation, we are not inclined to observe anything more on merits of the controversy.

6] We clarify that the observations made by us are only for the purpose of present challenge.

7] Leaving open all contentions of the applicant and with liberty to him to raise it at appropriate juncture before the Trial Court, we dispose of the present petition.

(N.R. BORKAR, J.)

(B.P. DHARMADHIKARI, J.)