

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL WRIT PETITION NO. 796 OF 2021

Nikhil Chandrashekhar Pandit and another. ... Petitioners.

V/s.

The State of Maharashtra and others. ... Respondents.

Mr.S.G.Rajput with Mr.Suraj B. Gothwal for the Petitioners.

Mr.K.V.Saste, APP for the Respondents.

CORAM : **NITIN JAMDAR AND
SARANG V. KOTWAL, JJ.**

DATE : **8 October 2021.**

P.C. :

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The Petitioners pray for various reliefs. The learned counsel for the Petitioners has focused on the reliefs flowing out of their contention that the prosecution against the Petitioners was motivated and baseless. One of the reliefs is seeking damages. The genesis of seeking this relief is the order of discharge passed by the learned Magistrate which is annexed to the petition. The Petitioner has also annexed revision filed by the Government against the order of discharge. The petition contains no particulars as to what happened to the revision. The learned counsel for the Petitioner, however, orally states that the revision is also dismissed.

2. According to us, the prayer based on allegation of false investigation and based on the order of discharge was premature as the revision application of the State was pending. If there are subsequent events when the revision application is also dismissed, it is open for the Petitioner to file a proper petition. Writ petition is accordingly disposed of with liberty.

(SARANG V. KOTWAL, J.)

(NITIN JAMDAR, J.)