

IN THE HIGH COURT OF JUDICATURE AT BOMBAY**CRIMINAL APPELLATE JURISDICTION****CRIMINAL WRIT PETITION NO. 2486 OF 2021**

Sachin Shivram Kumbhar

...Petitioner

V/s.

The State Of Maharashtra

...Respondent

Mr. Lokesh Zade, Appointed Advocate for Petitioner.

Mr. Ajay Patil, A.P.P. for the Respondent-State.

**CORAM : A. S. GADKARI AND
PRAKASH D.NAIK, JJ.****DATE : 12th DECEMBER, 2022.****P.C.:-**

. The defence of *alibi* adopted by Petitioner in Crime No.90 of 2019 registered with Wai Police Station, Satara cannot be tested in a Petition under Article 226 of the Constitution of India. The Petitioner will be at liberty to put forth his defence at the time of trial of the said case before the concerned Court.

2. According to us, present Petition is misconceived and is accordingly dismissed.

(PRAKASH D. NAIK, J.)**(A.S. GADKARI, J.)**