

IN THE HIGH COURT OF JUDICATURE AT BOMBAY**CRIMINAL APPELLATE JURISDICTION****CRIMINAL WRIT PETITION NO. 6213 OF 2021**

Dilip Kisan Bhosale

...Petitioner

V/s.

The State of Maharashtra

...Respondent

Mr. Subir Sarkar, Appointed Advocate for the Petitioner.

Mrs. M. H. Mhatre, A.P.P. for the Respondent-State.

**CORAM : A. S. GADKARI AND
PRAKASH D.NAIK, JJ.****DATE : 22nd NOVEMBER, 2022.****P.C.:-**

1. By the present Petition, the Petitioner is seeking independent inquiry into the allegations made against him, wherein he is an accused. Perusal of the Petition further indicates that, the Petitioner intends to test and establish his defence before this Court by invoking its jurisdiction under Article 226 of the Constitution of India which is not tenable in the eyes of law. The Petitioner will have to establish his defence in a trial, wherein he is an accused by leading evidence in that behalf.

2. According to us, Petition is wholly misconceived.

Petition is accordingly dismissed.

3. Petitioner will be at liberty to establish his defence at the time of trial by leading his evidence in that behalf.

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