

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
WRIT PETITION NO. 4672 OF 2021**

Samad Shamshulla Haq Khan	Petitioner
Versus	
The State of Maharashtra	Respondent

Mr. Shashikant Chaudhari, advocate for the petitioner(appointed from Legal Aid Panel).
Ms. Sangeeta D. Shinde, APP for the respondent/State.

**CORAM : PRASANNA B. VARALE &
S. M. MODAK, JJ.**

DATE : 29th MARCH, 2022.

P.C. :

1. Heard Mr. Chaudhari, learned counsel appointed to represent the petitioner.

2. A limited grievance is raised in the letter petition. The petitioner is an under-trial prisoner. FIR No.282 of 2020 is registered with Naupada Police Station against the petitioner for offences punishable under Sections, 411, 454, 457, and 380 read with Section 34 of the Indian Penal Code, 1860 and under the orders of the competent Court, the petitioner is arrested and lodged in Thane Central Prison from

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4th January, 2021. The proceedings arising out of the said FIR are pending before the learned JMFC, 4th Court at Thane.

3. Learned counsel for the petitioner submitted that the investigating agency, by completing the exercise of investigation, filed charge-sheet and as per the provisions of law, the petitioner who is arrayed as accused is entitled for receipt of copy of the charge-sheet. In the said letter petition, reference is made to Section 207 of the Code of Criminal Procedure, 1973. It is submitted in the said letter petition that once the charge-sheet is received by the petitioner, the petitioner would be in position to file appropriate proceedings including filing of an application for seeking discharge and as the petitioner is not having a copy of charge-sheet, he is unable to avail legal remedy. This is grievance raised in the letter petition.

4. At this stage, learned APP, on receipt of instructions, submitted before this Court that the petitioner was released on bail under the Orders of the Court dated 22nd December, 2021. In view of this fact, it can safely be said that the petitioner has availed legal assistance and, if legal assistance is availed by the petitioner, the petitioner then can take appropriate steps for redressal of his grievance of not receiving copy of the charge-sheet.

5. Thus considering the factual aspect that the petitioner is now released on bail and that the petitioner can take appropriate steps by seeking legal assistance, no orders are required to be passed. The petition is, accordingly, disposed of.

6. The fees of the learned counsel appointed to represent the petitioner be paid as per the Rules.

7. All concerned to act upon a copy of this order duly authenticated by the Registry of this Court.

(S. M. MODAK, J.)

(PRASANNA B. VARALE, J.)