

IN THE HIGH COURT OF JUDICATURE AT BOMBAY**CRIMINAL APPELLATE JURISDICTION****CRIMINAL WRIT PETITION NO. 6168 OF 2019****WITH****INTERIM APPLICATION NO. 3281 OF 2021**

Dattatray Ramchandra Jadhav

... Petitioner/Applicant

V/s.

The State Of Maharashtra

... Respondent

Mr. Subir Sarkar for Petitioner/Applicant.

Mr. Ajay Patil APP, for Respondent-State.

**CORAM : A.S. GADKARI AND
PRAKASH D. NAIK, JJ.****DATE : 5th DECEMBER, 2022.****PC. :**

1. By the present Petition, Petitioner is seeking direction to Central Bureau of Investigation (CBI) to conduct an inquiry into the offences wherein he has been implicated as an accused by the Police.

2. It is the settled position of law that, defence of the Petitioner that he has been falsely implicated into a crime, can not be tested in a Petition under Article 226 of the Constitution of India, as it involves disputed question of facts.

3. Petition being misconceived and is dismissed in *limine*.

4. In view of disposal Petition, Interim Application No. 3281 of 2021 does not survive and is disposed off.

[PRAKASH D. NAIK, J.]**[A.S. GADKARI, J.]**