

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY,
NAGPUR BENCH, NAGPUR**

CRIMINAL WRIT PETITION NO.212/2020

Bhaiyyaji Ganpat Fender and anr

..VS..

State of Mah., thr.PSO, Bajaj Nagar, Nagpur and ors

.....
Office Notes, Office Memoranda of Coram,
appearances, Court orders or directions
and Registrar's orders

Court's or Judge's Order

.....
Shri N.B.Rathod, Counsel for petitioners.

Shri M.K.Pathan, Addl.P.P. for the state.

**CORAM : V.M.DESHPANDE &
AMIT B.BORKAR, JJ.**

DATED : MARCH 11, 2022

1. Heard learned counsel Shri N.B.Rathod for petitioners and learned Additional Public Prosecutor Shri M.K.Pathan for the state.
2. Grievance raised in the petition is in relation to illegal detention of petitioners by respondent nos.2 and 3.
3. According to learned counsel for petitioners, petitioners were illegally detained without authority of law by respondent No.2.
4. On the contrary, it is contention of respondent Nos.2 and 3 that petitioners had applied for grant of anticipatory bail.
5. In our opinion, the grievance raised in the petition which involves factual dispute cannot be adjudicated under summary jurisdiction of this Court and, therefore, it is not possible to entertain the present criminal writ petition. However, petitioners are granted liberty to adopt appropriate proceedings before appropriate authority to redress their grievance.
6. The criminal writ petition is **disposed** of accordingly.

JUDGE

JUDGE

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WANKHEDE

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