

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

CRIMINAL WRIT PETITION NO. 1145 OF 2023

Tukaram Girdhar Vasave

..PETITIONER

VERSUS

State of Maharashtra and Others

..RESPONDENTS

....
Mr. N.L. Chaudhari, Advocate for petitioner
Mr. P.N. Kutti, A.P.P. for respondent - State
....

**CORAM : R.G. AVACHAT AND
NEERAJ P DHOTE, JJ.
DATE : 25th OCTOBER, 2023**

PER COURT :

1. The petitioner is one of the accused in the case. By filing this petition, he seeks relief to direct the investigating officer to make further investigation. In our view, the petitioner being an accused, has no *locus standi* to urge for such relief. According to the petitioner, he was somewhere else at the material time. Meaning thereby, he wants to make out a defence of alibi. He seeks direction to the investigating officer to seek CDRs of his and his driver from the concerned service provider.

2. In our view, the same is in the nature of his defence. The petitioner may approach the trial Court concerned and move an application under Section 91 of the Code of Criminal Procedure. If such application is

made, same shall be decided on its own merits. In view of the same, criminal writ petition stands disposed of.

SSD (NEERAJ P. DHOTE, J.)

(R.G. AVACHAT, J.)