

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION**

CRIMINAL WRIT PETITION NO.2605 OF 2023

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Vaibhav Sharad Shete

..Petitioner

Versus

The State of Maharashtra & Anr.

..Respondents

Mr. Laxman Kalel, for the Petitioner.

Mr. J. P. Yagnik, APP for the Respondent/State.

**CORAM : NITIN W. SAMBRE &
R. N. LADDHA, JJ.**

DATE : 3rd AUGUST, 2023

PC.

1. In view of supplementary statement dated 8th May, 2023 of the complainant, it cannot be inferred that the petitioner was involved in the offence in question. During investigation, it was noticed that the weapon in question was discovered from Vaibhav Sudhakar Chothe and not from Vaibhav Sharad Shete who is present petitioner. It is further brought to our notice that other witnesses have not made any statement about involvement of the petitioner in the offence in question. That being so, it cannot be stated that any material is available, which is attributable to the present petitioner to the offence in question.

2. The petition stands allowed in terms of prayer clause (a) only to the extent of present petitioner.

[R. N. LADDHA, J.]

[NITIN W. SAMBRE, J.]