

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

CRIMINAL WRIT PETITION NO. 5305 OF 2018

Santosh Gulabrao Pol	...Petitioner
Versus	
The State Of Maharashtra	...Respondent

None for the Petitioner.

Mr. Ajay Patil, APP for the Respondent – State.

**CORAM : A.S. GADKARI AND
PRAKASH D. NAIK, JJ.**

DATE : 7th JANUARY, 2023.

PER COURT:

1. Perusal of Petition would indicate that, the Petitioner intends to establish his defence in the crimes registered against him.

2. It is the settled position of law that, the defence of an accused cannot be adjudicated in a Petition under Article 226 of Constitution of India, as it involves disputed questions of facts.

3. According to us, the present Petition is misconceived and is accordingly dismissed.

(PRAKASH D. NAIK, J.)

(A.S. GADKARI, J.)

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