

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL WRIT PETITION NO.593 OF 2023

Shankar Ramesh Polake And Anr. .. Petitioners

v/s.

State of Maharashtra & Anr. .. Respondents

....

Mr. Amarendra P. Jha, for the Petitioners.

Mr. M.G. Patil, APP, for State.

....

CORAM: R.G. AVACHAT, J.

DATE : 22 FEBRUARY 2023.

P.C:-

Heard.

2. The Petitioners herein are the husband and in-laws of the applicant, who has preferred an application for issuance of a search warrant under Section 97 of Cr.P.C. It appears that the boy of little over 4½ years of age is in the custody of the Petitioners herein. The learned J.M.F.C. has simply issued a notice of the said application and not the search warrant under Section 97 of Cr.P.C. The order has been passed way back on 4 April 2022. Over ten months have passed since then. The Petitioners can very well appear before the Court of J.M.F.C. in response to the notice and put forth their stand and

then the application would be decided on its own merits.

3. With these observations, the petition stands disposed of.

(R.G. AVACHAT, J.)