

IN THE HIGH COURT OF JUDICATURE AT BOMBAY**CRIMINAL APPELLATE JURISDICTION****CRIMINAL WRIT PETITION NO. 451 OF 2023**

Robin Rajesh Sinha

... Petitioner

V/s.

State Of Maharashtra And Ors.

... Respondents

Mr. Chaitanya Pendse a/w Mr. Prashant D. Jadhav and Ms. Purvi S. Sharma
for Petitioner.

Mrs. M. H. Mhatre APP for Respondent-State.

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

DATE : 2nd MARCH, 2023.

PC. :

1. By the present Petition, Petitioner an absconding accused in C. R. No. I-377 of 2020 under Sections 302, 506(2), 120(B) read with Section 34 of the Indian Penal Code and under Sections 3, 25, 27 of the Arms Act read with Sections 37(1) 135 of the Maharashtra Police Act, has not only challenged the prior approval and sanction accorded by the Competent Authority under Section 23(1)(a) and 23(2) respectively of the Maharashtra Control of Organized Crimes Act (MCOCA) but has also prayed for a relief of pre-arrest bail during the pendency of present Petition.

2. Admittedly, as per the prosecution the Petitioner is absconding and/or not traceable since 1st August, 2020. In view thereof, the Petitioner can not claim breach of any of his fundamental rights and invoke

extraordinary jurisdiction of this Court under Article 226 of the Constitution of India. It appears to us that, Petitioner is having scant respect towards the law of the land and is avoiding his arrest for last more than two and half years.

3. In view of the above, we are not inclined to entertain present Petition.

Petition is accordingly dismissed in *limine*.

(PRAKASH D. NAIK, J.)

(A.S. GADKARI, J.)