

IN THE HIGH COURT OF JUDICATURE AT BOMBAY**CRIMINAL APPELLATE JURISDICTION****CRIMINAL WRIT PETITION NO. 3293 OF 2023**

Jaya Suresh Talreja Alias Laveena Bhathija ... Petitioner

V/s.

The State of Maharashtra & Anr. ... Respondents

Mr. Arjun Jeswani for Petitioner.

Ms. Mahalakshmi Ganpathy, A.P.P. for Respondent No.1-State.

Ms. Minal Chandnani for Respondent No.2.

**CORAM : A. S. GADKARI AND
SHYAM C. CHANDAK, JJ.**

DATE : 26th October 2023.

P.C. :

1) At the outset learned A.P.P. submitted that, the investigation of the present crime is concluded and there is sufficient material found against the Petitioner. However, in view of the Order dated 17th January 2023 the Investigating Agency has not filed chargesheet qua the Petitioner. She on instructions further submitted that, the Investigating Agency will file chargesheet against the Petitioner within a period of 10 working days from today, if permission is granted by this Court. Said statement is accepted.

In view of above, we permit the Investigating Agency to file chargesheet against the Petitioner.

- 2) As the police is submitting the chargesheet against the Petitioner, the Petitioner is having substantive alternate statutory remedy under the provisions of Criminal Procedure Code before the Trial Court. Reliance is placed on a decision of the Hon'ble Supreme Court in the case of *Iqbal @ Bala & Others Vs. State of Uttar Pradesh & Others*, reported in AIR 2023 SC 3731 and in particular para No.8 thereof.
- 3) By reserving the alternate remedy, Petition is disposed off.
- 4) All contentions of both the parties are kept open.

(SHYAM C. CHANDAK, J.)

(A.S. GADKARI, J.)

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