

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY****CRIMINAL APPELLATE JURISDICTION****CRIMINAL WRIT PETITION NO. 544 OF 2018**

Santosh Gulabrao Pol

... Petitioner

**V/s.**

The State of Maharashtra

... Respondent

None for Petitioner.

Mr.Ajay Patil, A.P.P for Respondent-State.

**CORAM : A. S. GADKARI AND  
PRAKASH D. NAIK, JJ.****DATE : 7<sup>th</sup> January 2023.****P.C. :**

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

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

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

**[ PRAKASH D. NAIK, J. ]****[ A.S. GADKARI, J. ]**

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