

IN THE HIGH COURT OF JUDICATURE AT BOMBAY**CRIMINAL APPELLATE JURISDICTION****CRIMINAL WRIT PETITION NO. 6493 OF 2021**

Sushant Suresh Ghadi

...Petitioner

Versus

The State Of Maharashtra

...Respondent

Mr. Kanchan T. Pawar appointed Advocate for Petitioner.

Mr. Ajay Patil, APP for Respondent-State.

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

DATE : 2nd JANUARY, 2023.

P.C.:-

. It is the case of the Petitioner that, he has been falsely implicated in C.R. No.1064 of 2020 by Goregaon (West) Police Station, Mumbai. He has therefore prayed that, necessary action may be initiated against the Investigating Officer of the said crime and Medical Officer, who examined him when he was produced for medical check up.

2. It is the settled position of law that, the defence of the Petitioner that he has been falsely implicated in a crime cannot be tested in a Petition under Article 226 of the Constitution of India as it involves disputed questions of facts.

3. According to us, present Petition is misconceived and is dismissed in *limine*.

(PRAKASH D. NAIK, J.)**(A. S. GADKARI, J.)**