

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

WRIT PETITION NO.3393 OF 2023

Rohit Sanjay Sah And Anr.

.. Petitioners

vs.

State of Maharashtra And Ors.

.. Respondents

Mr. Shubham Mishra, i/b. Mr. Sachin Pandey, for the Petitioners.

Mr. Ajay Patil, APP, for Respondent State.

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

DATE : 11th DECEMBER, 2023.

P. C.:-

1) In pursuance of our Order dated 17th October, 2023, Madhukar Pandey, Commissioner of Police, Mira-Bhayander Vasai Virar Police Commissionerate, District Palghar, has filed Affidavit dated 31st October, 2023. In Para No.4 thereof it is stated that, he had deputed team of Police Officers to the District Combine Hospital, Gaziabad, on 28th October, 2023, to investigate the veracity of birth certificate of Petitioner No.2 (page no.19 to Petition). It is found that, the said certificate is not issued by the District Combined Hospital, Gaziabad. A statement of Chief Medical Superintendent, Gaziabad, dated 28th October, 2023, is annexed to the Affidavit.

1.1) It is further stated that, the said Hospital was built much later than 1st January, 2004, i.e. the alleged date of birth of Petitioner No.2.

2) It is thus clear that the Petitioners, by taking recourse of either bogus or incorrect documents, approached this Court for the reliefs as prayed for in the Petition.

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

4) Petition is dismissed in limine.

(SHYAM C. CHANDAK,J.)

(A. S. GADKARI, J.)