

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION**

CRIMINAL WRIT PETITION NO. 4219 OF 2022

Pintu @ Maurices @ Maurice Marshal Pinto ...Petitioner

Versus

The State of Maharashtra ...Respondent

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Ms. Anjali Patil, Advocate for the Petitioner.

Mrs. M.M.Deshmukh, Addl. P.P. for the Respondent – State.

Mr. Patil (P.S.I.) & Mr. Pujari (Police Constable) Crime -2, Pune City, present.

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**CORAM : PRAKASH D. NAIK, &
N. R. BORKAR, JJ.**

DATE : 13th DECEMBER, 2023.

P.C.:

1. The Petitioner challenges the First Information Report in C.R. No.757 of 2017 registered with Yerawada Police Station for offences under Sections 3,4,5 of the Immoral Traffic (prevention) Act, 1956 (PITA) and Sections 370 & 370-A of Indian Penal Code. The FIR was registered on 19.09.2017. Provisions of Sections 3(1)(ii), 3(2), 3(4) of Maharashtra Control of Organised Crime Act (MCOC) were invoked.

2. Learned A.P.P. on instructions submitted that this Petition may not be entertained. The Petitioner has earlier preferred Criminal Writ Petition No.1062 of 2018 before this Court which has been disposed of vide order dated 13th December 2018 by observing that the Petitioner is reported to be absconding and the court was not willing to intervene in extra-ordinary jurisdiction. Learned A.P.P. submitted that the earlier Petition relates to the same impugned proceedings.

3. Learned Advocate for Petitioner submitted that provisions of MCOC Act cannot be invoked. The Petitioner is challenging the FIR in this Petition.

4. In view of the earlier order dated 13.12.2018 we are not inclined to entertain the present Petition.

5. The previous order records that the Petitioner is absconding, this Court is not inclined to intervene in extra-ordinary jurisdiction.

6. Petition is disposed off.

(N. R. BORKAR, J.)

(PRAKASH D. NAIK, J.)