

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL WRIT PETITION NO. 3908 OF 2023

Ahmed Hussain Mumtaz Hussain Sayed

...Petitioner

V/s.

State of Maharashtra

...Respondent

Mr. Vaibhav. S. Kulkarni, for the Petitioner.

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

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

DATE : 18th DECEMBER, 2023.

P.C.:-

1) Admittedly, even as per the submission of learned Advocate for the Petitioner, after completion of investigation of present crime, i.e. C.R. No. 349 of 2022 registered with Nagpada Police Station, Mumbai, the Police have filed charge-sheet.

2) In view thereof, the Petitioner is having an alternate statutory remedy under the provisions of Criminal Procedure Code before the trial Court by way of filing of an application for discharge, if charge is not framed, or to contest the case arising out of the said crime.

3) By reserving the said alternate remedy, Petition is disposed off.

4) All contentions of both the parties are kept open.

(SHYAM C. CHANDAK, J.)

(A. S. GADKARI, J.)