

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

WRIT PETITION NO. 5651 OF 2018

Bhaiyya @ Budhghosh Sanjay Kamble ...Petitioner
Versus
The State Of Maharashtra & Anr. ...Respondents

Mr. Kalyani Mangave i/b. Mr. Viresh Purwant for the petitioner.
Smt. M. M. Deshmukh, APP for the respondent-state.
Shri Patil, Sr. PI, Vijapur Naka Police Station, Solapur.

**CORAM : NITIN W. SAMBRE &
R. N. LADDHA, JJ**

DATED : 6nd JANUARY, 2023

P.C.:

1. Heard. Learned counsel for the petitioner submits that the petitioner is not giving further instructions in the matter.
2. In the aforesaid background, we have called upon learned APP to assist in the matter.
3. The petitioner has sought quashing of FIR which has led to registration of Crime No. 402 of 2018 for an offence punishable u/s. 366A, 376 of IPC and u/s. 4 & 8 of POCSO Act.
4. Learned APP informs that after registration of the aforesaid crime against the petitioner, same was investigated into and the petitioner was charge-sheeted on 11/11/2019 before the Court of 9th Additional Session Judge, Solapur.

5. According to her, the Trial is now fixed for framing of charge against the petitioner. She states that aforesaid instructions are received from Mr. Patil, Senior PI attached to Vijapur Naka Police Station, Solapur. Since the statement is made on instructions, the same is accepted.

6. As a sequel of above, petition stands disposed of as rendered infructuous because of filing of charge-sheet.

7. Further this does not preclude the petitioner from taking recourse to such other remedy as is permissible and available in law.

(R. N. LADDHA, J)

(NITIN W. SAMBRE, J.)