



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH : NAGPUR

CRIMINAL WRIT PETITION NO.658/2023

Sagar Ravindra Chintkutlawar .Vs. State of Maharashtra and anr.

Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's orders

Court's or Judge's orders

Mr. L. I. Jaiswal, Advocate for petitioner.
Mrs. M.H. Deshmukh, A.P.P. for respondent no.1-State.

CORAM : ANIL L. PANSARE, J.
DATE : 14.09.2023

Heard.

By the present petition, the petitioner intends to challenge the order dated 01.06.2022 passed by learned Magistrate granting bail to the respondent no.2 in Crime No. 69/2022, as also the order dated 20.06.2023 passed by learned Magistrate in Criminal Application No.3781/2022, rejecting the application filed by the petitioner for cancellation of bail to respondent no.2.

Having heard learned counsel for the petitioner, I fail to understand as to why the petitioner could not have approached the Sessions Court under Section 439(2) of the Criminal Procedure Code, 1973.

The contention is that since the order has been obtained by playing a fraud, there is no remedy available. I do not find any substance in the aforesaid contention as this could be a ground to seek relief under Section 439(2) of the Code. I am, therefore, not inclined to entertain the writ petition.

The writ petition is dismissed in limine.

(Anil L. Pansare, J.)