

IN THE HIGH COURT OF JUDICATURE AT BOMBAY**CRIMINAL APPELLATE JURISDICTION****CRIMINAL WRIT PETITION NO. 128 OF 2018**

Raju Mohanlal Mehta & Ors.

... Petitioners

V/s.

The State of Maharashtra & Anr.

... Respondents

Mr. Vilas B. Tapkir for Petitioners.

Ms. A.A. Takalkar, A.P.P. for Respondent No.1-State.

P.S.I. Mr. Nitin R. Ambhore, Dighi Police Station, Pune is present.

**CORAM : A. S. GADKARI AND
SHYAM C. CHANDAK, JJ.****DATE : 5th March 2024.****P.C. :**

1) Learned A.P.P., on instructions from Police Sub-Inspector Mr. Nitin R. Ambhore attached to Dighi Police Station, District Pune, submitted that, the investigation of present crime is completed and the chargesheet will be filed within a period of two weeks from today. The said statement is accepted.

2) As the police are intending to file chargesheet against the Petitioners, in view of the observations made by the Hon'ble Supreme Court in para No.7 in the case of *Iqbal @ Bala & Ors. Vs. State of Uttar Pradesh & Ors., reported in (2023) 8 SCC 734*, the Petitioners are having alternate remedy by way of filing an application under the provisions of Criminal Procedure Code for discharge before the trial Court.

- 3) By reserving the alternate remedy in favour of the Petitioners,
Petition is disposed off.
- 4) All contentions of both the parties are kept open.

(SHYAM C. CHANDAK, J.)

(A.S. GADKARI, J.)

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