

IN THE HIGH COURT OF JUDICATURE AT BOMBAY**CRIMINAL APPELLATE JURISDICTION****CRIMINAL WRIT PETITION NO. 687 OF 2017**

Sandeep Sudhir Jadhav

.....Petitioner

Vs.

The State Of Maharashtra & Anr.

.....Respondents

Mr. Ganesh Bhujbal for the Petitioner.

Mrs. A.A. Takalkar APP for the Respondent-State.

Mr. B.R. Zarekar, API, Chaturshringi Police Station, Pune

**CORAM : A. S. GADKARI AND
SHYAM C. CHANDAK, JJ.
DATE : 16th FEBRUARY, 2024.**

P.C.:-

1) Learned APP on instructions from Mr. Zarekar, A.P.I., attached to Chaturshringi Police Station, Pune submitted that, after completion of investigation of the crime, the then Investigating Officer in consonance with the Order dated 20th March, 2017 issued notice in writing to the Petitioner and thereafter proceeded to file charge-sheet. The said charge-sheet came to be filed on 16th June, 2017 in the Court of J.M.F.C., (Court No.9) Shivaji Nagar, Pune and the same has been numbered as R.C.C.No.3001 of 2017.

2) Mr. Babasaheb R. Zarekar, Assistant Police Inspector, attached to Chaturshringi Police Station, Pune has affirmed an Affidavit dated 16th February, 2024 and the said facts in detailed are mentioned in it. To the

said Affidavit a photocopy of intimation (सुचनापत्र) dated 23rd May, 2017 is annexed. On the said intimation, the Petitioner has effected his signature for its receipt.

Mr. Bhujbal learned Advocate appearing for the Petitioner on instructions submitted that, the Petitioner is disputing the said signature as it is not effected by him.

3) We are surprised to note such a submission. A bare perusal of signature on verification effected on the present Petition and the signature acknowledging the said intimation, appears to be similar even to bare eyes and therefore the contention of the Petitioner can not be accepted. We are of the view that, the Petitioner is raising a sham plea before this Court only to build his defence in the probable trial and nothing else.

4) As the police have already filed charge-sheet, the Petitioner is having alternate remedy under the provisions of Cr.P.C., before the trial Court.

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

(SHYAM C. CHANDAK, J.)

(A.S. GADKARI, J.)

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MASHALKAR
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by SANJIV
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