

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

CRIMINAL WRIT PETITION NO. 4774 OF 2024

Maruti Ishwar Kumbhar

..Petitioner

Versus

The State of Maharashtra & Anr.

..Respondents

Mr. Aditya S. Raktade for Petitioner.

Mr. Ajay Patil, APP for State/Respondent.

**CORAM : SARANG V. KOTWAL &
DR. NEELA GOKHALE, JJ.**

DATE : 27 NOVEMBER 2024

PC :

1. Learned counsel for the petitioner submits that the subject matter of the present petition is C.R.No.240 of 2024 registered at Shahuwadi police station on 02.09.2024, under sections 74 and 78 of the Bharatiya Nyaya Sanhita, 2023. He submitted that the F.I.R. mentions two incidents dated 30.08.2024 and 01.09.2024. On both these dates, he was engaged in final rites in respect of death of his mother and he was on *bandobast* duty for VIPs. He was not present in the house of the informant.

2. Learned APP seeks time.

3. Considering these submissions, it is necessary to hear the other side.

4. Hence, the following order:

O R D E R

- i) Issue Notice to the Respondent No.2, returnable on 05.02.2025.
- ii) Stand over to 05.02.2025.

(DR. NEELA GOKHALE, J.)

(SARANG V. KOTWAL, J.)