

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

Criminal Writ Petition No.1446 of 2025

Hemant Godse

Age-40 years, Occ-

Having address at Lakshmi Niwas,

Post Sansari, District-Nashik

... Petitioner

versus

1. Mahesh Junjar Aahvad

Age-45 years, Occ-

Having address at 1, Madhav,

Jagtap Mala, Nashik Road,

District Nashik

2. The State of Maharashtra

through Public Prosecutor

... Respondents

Mr Vivek Punjabi, a/w. Mr Parichehr Zaiwalla, for the
petitioner.

Ms Sangita E Phad, APP, for respondent No.2/State.

Coram: R.N. Laddha, J.

Date: 25 March 2025.

P.C.:

. Heard Mr Vivek Punjabi, the learned Counsel appearing
on behalf of the petitioner; and Ms Sangita Phad, the learned
Additional Public Prosecutor representing respondent
No.2/State.

2. The petitioner in this case is arraigned as an accused in a private complaint filed by respondent No.1. The complaint led to the issuance of process for offences punishable under Sections 323 and 447 of the Indian Penal Code.

3. The established legal principle is that this Court should exercise its inherent jurisdiction, sparingly. Specifically, when the petitioner has the option to challenge the issuance of process order through an alternate and effective remedy of revision before the Sessions Court. However, if the revision fails, the petitioner is not precluded from approaching this Court under Section 482 Cr.P.C.

4. In light of the above, this Court is not inclined to invoke its writ jurisdiction. The petition is dismissed accordingly. But the petitioner is granted liberty to file appropriate proceedings before the Sessions Court. Furthermore, the petitioner may seek condonation of delay, if necessary. It is made clear that this Court has not examined the merits of the matter and all contentions of the parties are left open.

5. The petition stands disposed of accordingly.

(R.N. Laddha, J.)