

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

WRIT PETITION NO.678 OF 2015

Mr. Shaikh Shahnawaz Mohd. Kasam ..Petitioner.

Versus

The State of Maharashtra & Anr. ..Respondents.

Mr. I.B.Singh, advocate for petitioner.

Mr. J.P.Yagnik, APP for the State.

Coram : RANJIT MORE &
R.G.KETKAR, JJ.

Date : **8th September, 2015.**

P. C. :

Heard learned counsel appearing for the respective parties.

2 This petition is filed seeking direction to respondents to lodge F.I.R. Earlier in the year 2008, petitioner filed report in respect of the incident, which is also the subject matter of the present petition. On the basis of said report, police registered NC complaint on 13.2.2009. Thereafter again petitioner filed complaint in respect of the same incident on 2.6.2014 and reminder through advocate's notice was made on 20.6.2014.

3 Mr. Yagnik the learned APP makes a statement that

petitioner has given inconsistent version in the aforesaid two complaints. He further states that in the event, petitioner approaches Station House Officer of Nirmal Nagar Police Station, his statement will be recorded and if the same discloses commission of cognizable offence then, F.I.R. would be registered. The counsel for the petitioner has no objection if this course is adopted. He states that petitioner will approach Station House Officer of Nirmal Nagar Police Station on 21.9.2015. Statement accepted.

4 In the above circumstances, petition is disposed of by passing the following order:

(I) Petitioner shall approach Station House Officer of Nirmal Nagar Police Station on 21.9.2015 at 11.00 a.m.

(II) Station House Officer of Nirmal Nagar Police Station shall record statement of the petitioner and in the event, statement discloses the commission of non-cognizable offence, he will register F.I.R. and investigate the same.

[R.G.KETKAR, J.]

[RANJIT MORE, J.]

CERTIFICATE

Certified to be true and correct copy of the original signed judgment/order.