

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

WRIT PETITION NO. 3147 OF 2014

Asad Ashraf Patel and Another. ..Petitioners.
Versus
State of Maharashtra & Others. ..Respondents.

Mr. R. N. Kachave for the Petitioners.
Mr. Manoj J. Bhatt for Respondent No. 4.
Mrs. P. H. Kantharia, learned APP for the State.

Coram : RANJIT MORE &
SMT. ANUJA PRABHUDESSAI, JJ.
Date : **June 24, 2015.**

P. C. :

1. Heard learned Counsel appearing for the Petitioner and learned APP for the State. By this petition, the Petitioners are interalia seeking following relief :

“a] that this Hon'ble Court be pleased to issue a writ of certiorari or writ in the nature of certiorari or any other appropriate writ, order or direction to Respondent No. 1 and 2 under Article 226 of the Constitution of India for registration of FIR with enquiry and investigation calling for the entire records in respect of the complaint of the Petitioner against Respondent No. 4 along with 5 and 6 dated 1st July 2014 and 24th July 2014 filed before Respondent No. 2 and 3 respectively and to file a detailed report within a specific period.”

2. In pursuance of the Petitioner's complaint, FIR is already registered against Respondent No.4 for the offence punishable under sections 324, 341, 506 read with 34 of the Indian Penal Code, 1860, i.e., FIR bearing No. 254 of 2014 registered with Nagpada Police Station. So far as the grievance of the Petitioner that FIR is not registered against Respondent Nos.5 and 6 is concerned, he relies upon his complaint at page 32 [Exhibit-H to the petition]. We have perused the same. The same does not disclose commission of any cognizable offence by Respondent No. 5 and 6. therefore, police are justified in not registering offence against Respondent No. 5 and 6. In above circumstances, we do not see any reason to entertain this writ petition and the same is accordingly dismissed.

[SMT. ANUJA PRABHUDESSAI, J.]

[RANJIT MORE, J.]