

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL WRIT PETITION NO.93 OF 2016

Polygenta Technologies Limited	...	 Petitioner
V/s		
The State of Maharashtra & Ors.		 Respondents
...		
Mr.Niranjan Mundargi a/w Mr.Ranjit Shetty and Mr. Anurag Mankar i/b M/s.		
Argus Partners for the Petitioner.		
Ms. M.H. Mhatre, APP for the Respondent Nos. 1 and 2/State.		
...		

CORAM : A.S.OKA &

A.A. SAYED, JJ.

DATED : 19 OCTOBER 2016

P.C.:

Heard the learned Counsel appearing for the Petitioner. The Petitioner filed a complaint with the Senior Inspector of Police, Andheri Police Station running into 283 pages including annexures. The grievance of the Petitioner is that the Officer-in-Charge of the Police Station has not taken any action on the basis of the said complaint. The only prayer in the Petition reads thus:

(A) This Hon'ble Court may be pleased to issue a Writ of Mandamus to the Respondent No.2 to direct the appropriate investigating agency, preferably the Unit of Economic Offences Wing to register the First Information Report in view of the complaint at Exhibit "B-Colly" hereinabove of the Petitioner Company and further be pleased to direct the concerned agency to

investigate into the same and submit the appropriate report in the interest of justice;

2. If according to the case of the Petitioner, the Officer-in-Charge of the Andheri Police Station has not registered the First Information Report, the Petitioner has a remedy available under sub-section (3) of section 154 of the Code of Criminal Procedure, 1973.

3. In view of availability of the said remedy, it is not necessary to entertain this Criminal Writ Petition seeking a writ of mandamus. Accordingly, the Petition is disposed of by granting liberty to the Petitioner to take steps in accordance with sub-section (3) of section 154 of the Code of Criminal Procedure, 1973. All contentions on merits are kept open.

(A.A. SAYED, J.)

(A.S.OKA, J.)