

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

WRIT PETITION NO. 245 OF 2016

Mr. Navneet Ramashray Singh	...	Petitioner
V/s.		
State of Maharashtra & others	...	Respondents

Mr. Inderpal Jain i/b. Inderpal B. Singh for the petitioner.
Mrs. M.M. Deshmukh, APP for the State.

**CORAM : NARESH H. PATIL AND
A.M. BADAR, JJ.**

12th April, 2016.

P.C.

The petitioner claims that he addressed a complaint to the Senior Inspector of Police, Charkop police station, Kandivali, Mumbai on 30th December, 2015 against 18 police personnel attached to Charkop Police station for registering offence under the various provisions of IPC as mentioned in the complaint. Learned Counsel appearing for the petitioner submits that petitioner suffered serious injuries. He was hospitalized for three months. He has referred to photographs placed on record and injury certificate in support of his submissions. The grievance of the petitioner is that the police is not registering the offence.

2. Learned APP submits that the issue was looked into and it was found that in fact the petitioner had assaulted police personnel alongwith

7-8 persons. Learned APP submits that enquiry was conducted consequent to receipt of complaint of the petitioner. Statement of the petitioner was recorded on 5th January, 2016. The Senior Police Inspector, Charkop Police Station submitted a report to the Dy. Commissioner of Police, Zone-11 on 4th March, 2016. The statement of four eye witnesses namely Shafiq Ahmed, Vishwakarma, Anil Singh and Ali Khan were recorded. Learned APP submits that it was revealed in enquiry that filing of complaint is after thought and there are contradictory statements made by the Complainant.

3. We have perused the record placed before us. The petitioner has grievance that his complaint is not looked into by the police who have assaulted him.

4. In the facts and circumstances, we are of the view that petitioner may resort to appropriate alternate remedy as prescribed in Criminal Procedure Code.

5. In case petitioner prefers application before the concerned Magistrate, we direct the Magistrate to take up the application for hearing on priority basis.

6. Keeping all issues on merits open, petition is disposed of.

(A.M. BADAR, J.)

L.S. Panjwani, P.S.

(NARESH H. PATIL, J.)