

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

WRIT PETITION NO.1898 OF 2016

Administrative Council,
Walchand College of Engineering, Sangli .. Petitioner
Vs.
Superintendent of Police & Anr. .. Respondents

.....
Mr. G.S. Godbole i/b. Mr. A.T. Agarwal, Advocate for the
Petitioner.
Mr. K. V. Saste, APP for the Respondent - State.
.....

**CORAM : NARESH H. PATIL AND
P.D. NAIK, JJ.**

DATED : JUNE 8, 2016.

P.C. :

The Petitioner prayed for the following reliefs:

“(a) to issue a writ of mandamus or a writ in the nature of mandamus or any appropriate writ, order or direction under Article 226 of the Constitution of India directing the Respondents and their subordinates to register First Information Report (FIR) against the said intruders into the Walchand College of Engineering properties at Sangli as set out above on 24.05.2016 and take all necessary actions against them.

- (b) *to issue a writ of mandamus or a writ in the nature of mandamus or any appropriate writ, order or direction under Article 226 of the Constitution of India directing the Respondents by themselves, and/or through their servants, officers, subordinates to provide adequate and effective police protection and take such preventive and precautionary measures and to do all such acts, deeds and things as may be necessary to prevent any person from physically interfering with or preventing the Petitioner's functioning of the Walchand College and the conduct of its management by the petitioner."*

2 Learned counsel for the petitioner submitted that so far, the petitioner has spent lacs of rupees on payment of charges for getting police protection. The petitioner continues to require the police protection. It was submitted that the issue in respect of providing police protection was pending before the Superintendent of Police, Sangli. Learned APP placed on record a photostat copy of the communication dated 9th February, 2015 issued by the office of Superintendent of Police, Sangli. Based on the same, the learned APP submitted that the request of the petitioner for grant of police protection had already been granted.

3 Learned counsel for the petitioner submits that respondents may be directed to register an FIR against the intruders into the premises of Walchand College of Engineering at Sangli. Considering the record placed before us, we observe that in case the petitioner desires to launch criminal prosecution or initiate criminal proceedings, then they may resort to appropriate alternate remedy as prescribed in the Code of Criminal Procedure, 1973.

4 In the facts, we are not inclined to issue directions to the respondents as prayed for. Without expressing any opinion on merits of the allegations made by the petitioner, the petition stands disposed of.

(P.D. NAIK, J.)

(NARESH H. PATIL, J.)