

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

CRIMINAL WRIT PETITION NO. 1989 OF 2016

Hitesh Balkrushna Vispute

.. Petitioner

V/s.

The State of Maharashtra & Ors.

.. Respondents

.....
Ms. Leela D. Malu i/b. M/s. Leela D. Malu & Associates, Advocate
for the Petitioner.

Mr. J.P. Yagnik, APP for Respondent – State.

.....

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

DATED : OCTOBER 18, 2016.

P.C. :

The petitioner filed a complaint with the Panchavati Police Station, Panchvati, Nashik on 13th October, 2015 (Exhibit-C). The grievance of the petitioner is that inspite of complaint being filed, FIR was not registered. Learned counsel appearing for the petitioner submits that petitioner had made out a case of commission of cognizable offence.

2 Learned APP submits that police had looked into the complaint, grievance of the petitioner and undertook necessary

inquiries. The police took decision that there is no substance in the complaint and closed the matter. It is further submitted that, by communication dated 12th September, 2016, the said decision has been communicated to the petitioner. According to the petitioner's counsel the communication has not been received by them. Learned APP submits that he would hand over a copy of the same to the learned counsel for the petitioner.

3 The petitioner is at liberty to resort to proceedings enunciated under Section 156 (3) of the Cr.P.C.

4 By keeping all issues on merits open, writ petition is disposed of.

(PRAKASH D. NAIK, J.)

(NARESH H. PATIL, J.)