

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

CRIMINAL WRIT PETITION NO. 3148 OF 2015

Leelabhai P. Chandramore

.. Petitioner

V/s.

The State of Maharashtra & Ors.

.. Respondents

.....
Mr. Ashok D. Khilare, Advocate for the Petitioner.

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

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

DATED : SEPTEMBER 20, 2016.

P.C. :

Petitioner filed a complaint with the Magistrate on the same cause of action. Petitioner's grievance is that due to medical negligence his son died. The Magistrate had called for a report in exercise of powers under Section 202 of the Code of Criminal Procedure. Learned APP submits that the police submitted the report to the Magistrate. Learned counsel appearing for Petitioner submits that he is not aware as to whether Magistrate had passed any order thereafter. In this view of the matter, the petitioner's remedy would be before the

Magistrate. In case the petitioner is aggrieved by the Magistrate's order, he may resort to appropriate remedy, as may be available in law.

2 By keeping all issues on merits open, writ petition stands disposed of.

(PRAKASH D. NAIK, J.)

(NARESH H. PATIL, J.)