

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

WRIT PETITION NO. 3315 OF 2014

Kunwar Sumer Bahadur Singh. ..Petitioner.

Versus

The Senior Inspector of Police, Bandra
and Another. ..Respondents.

Mr. Swapnil L. Wagh i/b Rizwan Merchant & Associates for the
Petitioner.

Mr. J. P. Yagnik, learned APP for the State.

Coram : Ranjit More &
G. S. Kulkarni, JJ.

Date : **November 18, 2016.**

P. C. :

1. Heard learned Counsel appearing for the Petitioner and learned APP. Petition is filed seeking direction to the Respondents to immediately register the offence against Kamal Chamanlal Saigal under the appropriate provisions of the Indian Penal Code, 1860 and proceed with the investigation and file complete report before the Registrar of this High Court.

2. The Petitioner alleges that said Kamal Saigal has produced forged power of attorney dated 23rd September 2011 in Criminal Bail Application No. 1202 of 2013. This fact was pointed

out to the learned Single Judge of this Court by filing Criminal Application No. 535 of 2013 and the learned Single Judge by the order dated 27th August 2013 directed the Registry to secure the custody of said power of attorney and initiate the proceedings under section 340 of the Code of Criminal Procedure, 1973. This order is complied with by following the procedure laid down under section 340 of the Code. The Assistant Registrar of this Court has filed criminal complaint, being CC No. 140/SW/14, in the Court of Additional Chief Metropolitan Magistrate, Esplanade against said Kamal Saigal for the offence punishable under sections 193, 196, 465, 466, 467, 471 and 474 of the Indian Penal Code, 1860. In the said complaint, Magistrate has already issued process against said Kamal Saigal. In these circumstances, relief claimed by the Petitioner cannot be granted. Writ petition is devoid of substance and the same is therefore dismissed.

[G. S. KULKARNI, J.]

[RANJIT MORE, J.]