

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

WRIT PETITION NO.4376 OF 2015

Aamir Shaikh son of Rafique Shaikh	.. Petitioner
V/s.	
The State of Maharashtra & Ors.	.. Respondents

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Mr. Aaditya A. Gore, Advocate for the Petitioner.
Ms. Sangeeta Shinde, APP for Respondent – State.

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

DATED : AUGUST 22, 2016.

P.C. :

Petitioner prays for the following relief:

“A) *That this Hon'ble Court exercising powers under Article 226 of the Constitution of India, 1950 and u/s 482 of the Criminal Procedure Code 1973, may be pleased to issue writ of Mandamus and or any other appropriate Writ, order directing the Crime Branch - Mumbai Unit or any higher Police authority as deem fit by this Hon'ble Court and to include the name of the accused Police Officer in the FIR and to proceed with the investigation by treating the written complaint dated 27.08.2015 of the Petitioner as First Information.*”

2 In the facts, no interference is warranted under extraordinary writ jurisdiction of this Court. Learned counsel at this stage submits that charge-sheet ought to have been filed for the offence punishable under Section 307 of the IPC for which the petitioner may be granted leave to resort to appropriate alternate remedy. Leave is accordingly granted. Writ Petition stands disposed of.

(PRAKASH D. NAIK, J.)

(NARESH H. PATIL, J.)