

Anand

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

WRIT PETITION NO.3925 OF 2016

Aslam Mapkhan Shah

.Petitioner

Vs.

The State of Maharashtra & ors.

.Respondents

Mr.Milan Desai i/b. Mr.T.R.Patel, Advocate, for the Petitioner
Mrs.M.M.Deshmukh, APP, for the Respondent No.1 – State

**CORAM : RANJIT V.MORE AND
REVATI MOHITE DERE, JJ.**

DATE : 09.12.2016

P.C.

. Heard learned counsel for the Petitioner and the learned
APP for the Respondent No.1 – State.

2. The Petition is filed seeking a direction to the Respondent
– MIDC Police Station, Andheri, Mumbai to register an FIR against
accused persons on the basis of the Petitioner's complaint filed for
the offences punishable under Sections 417, 420, 465, 466, 467, 468,
471, 255, 256, 257, 259, 472, 473, 474, 475, 476 r/w.34 & 120B of the
Indian Penal Code.

3. Learned APP makes a statement that a preliminary
enquiry was held and the MIDC Police Station after recording the

statement of Mr.Sanjay Uttamrao Borse, Assistant Engineer, has come to the conclusion that the said complaint does not disclose the commission of any cognizable offence.

4. Learned counsel for the Petitioner, at this stage, makes a grievance that the decision arrived at by the MIDC Police Station has not been communicated to the Petitioner. Learned APP makes a statement that the MIDC Police will communicate the said decision to the Petitioner within a period of seven days from today. The said statement is accepted.

5. The Petitioner has an alternate remedy to approach by way of a private complaint. We are not inclined to interfere in our writ jurisdiction.

6. In the light of above, the Petition is dismissed.

(REVATI MOHITE DERE, J.)

(RANJIT V.MORE, J.)