

ssp

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
PUBLIC INTEREST LITIGATION NO.4 OF 2014

Ketan Tirodkar ...Petitioner
vs.
Central Bureau of Investigations
and others ...Respondents

None for the Petitioner
Mr.Milind Sawant for the respondent No.1
Mr.D.A.Nalawade for respondent No.3
Mr.J.P.Yagnik, APP for respondent 2

CORAM : A.S.OKA, &
G.S.KULKARNI, JJ.
DATE : DECEMBER 20, 2016

P.C.:

1 When this petition was called out on 17th November 2016, the petitioner appearing in person was not present. As per the order dated 17th November 2016, the Registry has issued intimation in writing to the petitioner appearing in person.

2 Prayers (A) and (B) of this petition read thus:
“(A) The Union Ministry of Road Transport be directed to forward the probe report of the Gokarna panel to the C.B.I.;
(B) The Central Bureau of Investigations be directed to register a Regular Case into the offence of cheating against the General Motors India for the “corporate fraud” as concluded in the probe report of the Gokarna panel.”

3 One of the objections raised in the reply filed on behalf of the first respondent-CBI is that the petitioner has not approached the police for registration of the alleged offence. Reliance is placed on the decision of the Apex Court in the case of Sakeri Wasu Vs. State of Uttar Pradesh¹.

4 If the grievance of the petitioner is that cognizance of certain offence has not been taken, the remedy of the petitioner is to take recourse to sub-section 1 and sub-section 3 of section 154 of the Code of Criminal Procedure, 1973. Hence, we decline to entertain this PIL.

5 Subject to what is observed above, the PIL is disposed of.

(G.S.KULKARNI, J.)

(A.S.OKA, J.)

1 AIR 2008 SC 907