

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

**CRIMINAL WRIT PETITION NO.142 OF 2017
with
CRIMINAL APPLICATION NO.112 OF 2017
IN
CRIMINAL WRIT PETITION NO.142 OF 2017**

Ravindra Harishchandra Hatim ...Petitioner
Versus
The Deputy Commissioner of Police
& Ors. ...Respondents

.....

Mr. S.S. Karmarkar for the Petitioner.
Mr. J.P. Yagnik, APP for the State.
Mr. S.S. Boralkar i/b. Mr. S.V. Chaugule for the Intervenor in
APPW/112/2017.

**CORAM : RANJIT MORE &
SMT. ANUJA PRABHUDESSAI, JJ.**

DATED: 2nd MAY, 2017.

P.C.:-

Heard the learned counsel for the Petitioner and the learned APP for the Respondents- State. The Petitioner is seeking direction to the Respondents to register FIR on the basis of the complaint dated 23.12.2016.

2. We have gone through the said complaint at Exh.'W'. The learned APP submitted that the FIR bearing C.R. No.62 of 2016 is already registered on 3.2.2016 with Samta Nagar Police Station at the

instance of Shri Sudhakar Borse, Deputy General Manager, office bearers of Mahindra and Mahindra Company. We have also perused the Petitioners complaint at Exh.'W'. The allegations are in respect of the same case which is being investigated by the Samta Nagar Police Station in the aforesaid FIR. The Petitioner who is neither the complainant nor an aggrieved person in the said FIR, cannot seek registration of another FIR.

3. It is also to be noted that the Petitioner had earlier filed Writ Petition No.3811 of 2016, for similar relief. The said Writ Petition was withdrawn with liberty to file appropriate proceedings. The Petitioner thereafter has filed present Petition on the same cause of action seeking similar reliefs. We are of the opinion that this is nothing but an abuse of process of law. We accordingly, dismiss the Petition with exemplary cost quantified to Rs.20,000/-. The cost shall be deposited within a period of two weeks from today in this Court. If the costs are not deposited within the stipulated period, the same shall be recovered by the Collector, Mumbai, as arrears of land revenue.

4. The Petition is dismissed.

(ANUJA PRABHUDESSAI, J.)

(RANJIT MORE, J.)