

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

WRIT PETITION NO.2263 OF 2017

Devang Dinesh ParmarPetitioner
V/s.
The State of Maharashtra & Ors.Respondents

Mr. D.D.Parmar Petitioner in person.
Mrs. A.S.Pai, APP for the Respondent-State.
Mr. Kunal Waghmare, Advocate for Respondent Nos.5 and 6.

**CORAM :- R.M. SAVANT &
SANDEEP K. SHINDE, JJ.**

DATE :- 6TH SEPTEMBER, 2017.

PC. :-

The above Petition is filed seeking a direction that the Respondents and more especially the Respondent No.4 be directed to register an FIR against the persons named in prayer clause (a) of the Petition which according to the Petitioner are falsely claiming to be constituted attorneys of the alleged landlords. Grievance of the petitioner is comprised in the notice which the Petitioner and others have issued to the Respondent No.4, the Assistant Commissioner of Police, Azad Maidan Division, Mumbai amongst others. In respect of

the said complaint, the Petitioner in person Mr. Parmar states that he has received reply from the Respondent No.4, Senior Inspector of Police, MRA Marg Police Station that the dispute which is reflected in the said letter is a civil dispute and that the Petitioner may seek his redressal from the appropriate Court. In view of the said reply, no relief can be granted to the Petitioner in the manner sought vide prayer clause (a). However, in terms of the law laid down by the Apex Court in **Alque Padamsee and Others v. Union of India and Ors. (2007) 6 SCC page 171**, it would be open for the Petitioner to file private complaint. Needless to state that if any such private complaint is filed, the concerned learned Magistrate would consider the same on its own merits and in accordance with law.

2 With the aforesaid observations, the Writ Petition is disposed of.

(SANDEEP K. SHINDE, J)

(R.M. SAVANT, J)