

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

WRIT PETITION NO. 3269 OF 2017

Hitesh Bhuralal Jain	...	Petitioner
V/s.		
The State of Maharashtra	...	Respondent

Mr.K.H. Giri for the Petitioner.
Mrs.A.S. Pai, A.P.P. for the Respondent-State.
Mr.Balasaheb Raut, PSI, Malad Police Station.

**CORAM : RANJIT MORE &
DR.SHALINI PHANSALKAR-JOSHI, JJ.**

DATE : 31st OCTOBER, 2017.

P.C. :

1] Heard.

2] This petition is filed seeking direction to the Respondent to register First Investigation Report (FIR) on the basis of the Petitioner's complaint dated 26th July, 2017, copy of which is annexed at Exhibit "A".

3] Mrs.Pai, on instructions of PSI Balasaheb Raut, makes a statement that the said complaint of the Petitioner was enquired into and the Petitioner is informed that the dispute raised in the said complaint by him is of a Civil Nature and, accordingly, inability was expressed to record the FIR.

4] In the above circumstances, in our considered opinion, the Petitioner has an alternate efficacious remedy to approach the Magistrate by way of private complaint in respect of grievance raised in the said complaint.

5] In view of the availability of the alternate efficacious remedy, we are not inclined to entertain this Writ Petition.

6] Writ Petition is, therefore, disposed of.

[DR.SHALINI PHANSALKAR-JOSHI, J.]

[RANJIT MORE, J.]