

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
CRIMINAL WRIT PETITION NO.1116 OF 2018

Mrs. Pooja Rakesh Bhasin ... Petitioner

Versus

The State of Maharashtra & Ors. ... Respondents

Mr. Siddiquee Rizwan Alam a/w Mr. Shaikh Mohd. Ibrahim i/by
Siddiquee & Associates for the Petitioner.

Mrs. M.M. Deshmukh, Additional P. P. for State.

**CORAM :- R. M. SAVANT &
SARANG V. KOTWAL, JJ.**
DATE :- 3RD MAY, 2018

P. C. :-

1 The above petition has been filed for a direction against the Respondents to take cognizance in respect of the complaint made by the Petitioner vide her complaint/first information dated 10th February 2018.

2 The gravamen of the allegations in the said letter/ complaint is the alleged mis-use of the digital signature of the Petitioner's husband Rakesh Bhasin by the other Directors and

brothers of the Petitioner's husband, who are allegedly concerned with the Company in question. The learned Additional P.P., Mrs. Deshmukh draws our attention to the communication dated 8th March, 2018 addressed by API, Shri. Subhashchandra Posture of the Oshiwara Police Station to the Petitioner, by which he has informed the Petitioner that the dispute appears to be civil in nature and that the Police did not find any substance in the allegations. In the light of the said letter, we enquired from the learned counsel for the Petitioner as to whether the Petitioner has received the said letter. The learned counsel answered in the affirmative. Upon this, we enquired from the learned counsel as to whether the Petitioner has approached the higher authorities in the Police, which answer was also in the affirmative.

3 In view thereof, and having regard to the judgment of the Apex Court in Sakiri Vasu Vs. State of Uttar Pradesh And Others, reported in (2008) 2 Supreme Court Cases, page 409, the Petitioner would have to take recourse to Section 156(3) of the Code of Criminal Procedure by filing an application in the appropriate Court. Upon this, the learned counsel for the Petitioner states that such an

application would be filed by the Petitioner. If such an application is filed by the Petitioner within four weeks from date, the concerned Court is directed to hear and decide the said application expeditiously.

4 With the directions as aforesaid, the above petition is disposed of.

(SARANG V. KOTWAL, J.)

(R. M. SAVANT, J.)