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

**WRIT PETITION NO. 1572 OF 2017
WITH
CRIMINAL APPLICATION NO. 345 OF 2017
IN
WRIT PETITION NO. 1572 OF 2017**

Yogesh Natwerlal Thakkar

... Petitioner

Versus

State of Maharashtra & ors.

... Respondents

Mr. A. V. Anturkar, Senior Advocate, a/w Mr. Ajinkya Udane,
i/b Mr. Amol Gatne for the Petitioner.

Mrs. Sangita Shinde, APP for the State.

Mr. Ravi Kadam, Senior Advocate, a/w S. R. Nargolkar, i/b
Pawan Mali, for the Intervener/Applicant in APPW
No.345/2017.

Mr. Rajesh Nagwade, P.I., EOW Unit 9, Mumbai, present.

**CORAM : RANJIT MORE &
SMT. BHARATI H. DANGRE, J J.**

DATE : 11th OCTOBER, 2018.

P.C.:-

1. Heard. The present Petition is filed seeking direction to Respondent no.2, to register FIR on the basis of complaint dated 9th February, 2017. Mrs. Shinde, the learned APP, on instructions of Mr. Nagwade, P.I., EOW, who is present in the Court makes a statement that the said complaint of the

Petitioner on being inquired, the Investigating Officer has came to the conclusion that no cognizable offence has been made out. This decision is also communicated to the petitioner. The learned APP has placed on record the communications dated 18th July, 2017 and 23rd April, 2018 issued by the Inspector of Police, EOW, Unit-IX, Mumbai. The said communication supports her submission. In that view of the matter, we are not inclined to entertain the matter since the Petitioner has alternative remedy to approach the Magistrate by filing private complaint. The petition is accordingly dismissed. No order as to costs.

2. In view of dismissal of the Writ Petition, the Criminal Application does not survive and is accordingly disposed of.

[SMT. BHARATI H. DANGRE, J.]

[RANJIT MORE, J.]