

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

PUBLIC INTEREST LITIGATION STAMP NO.15 OF 2018

Raza Educational & Welfare Society

..Petitioner

Versus

State of Maharashtra and others

..Respondents

**Mr. Hitesh Soni i/by Hitesh Soni & Associates, Advocate for the
Petitioner.**

Mrs. P P Shinde, APP for the Respondents.

CORAM : B. R. GAVAI &

SMT. BHARATI H. DANGRE, JJ.

DATE : 16th APRIL, 2018

PC.

1] It is the contention of the Petitioner that in the serial namely “Ishq Subhanallah”, which is shown on the Zee TV, the religious sentiments of the Muslim community have been insulted. In effect, it is the contention of the Petitioner that an offence under Section 295A of the Indian Penal Code has been committed.

2] The Division Bench of this Court, to which one of us (Smt. Bharati H. Dangre, J) had an occasion to consider the similar issue in CRIPILST No.38 of 2017. The Court had observed that if the police authorities do not register an offence, the Petitioner is not precluded from filing a private complaint.

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3] We find that in the present case also, if it is the contention of the Petitioner that police authorities are not registering offence, the Petitioner is not precluded from filing complaint either under Section 200 or application under Section 156(3) of the Criminal Procedure Code. The Petition is therefore disposed of with the aforesaid observations.

[SMT. BHARATI H. DANGRE, J.]

[B. R. GAVAI, J.]