

nsc.

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

CRIMINAL WRIT PETITION NO.1786 OF 2018

Tanuja Gajendra Mehta	...Petitioner
Versus	
State of Maharashtra and Anr.	...Respondents

Mr.M.P.Dalvi, for the Petitioner.

Mrs.A.S.Pai, A.P.P for the Respondent-State.

***CORAM : R. M. SAVANT &
REVATI MOHITE DERE, JJ.***

DATE : 23rd JULY, 2018

P.C. :

1. The above Writ Petition has been filed seeking a direction that the FIR be registered in respect of the complaint made by the Petitioner in respect of the alleged forgery of the Will of the deceased father of the Petitioner. The said complaint was looked into by the Silvassa Police Station and by letter dated 6th March, 2018, ASI – Bhaskar V. Patil of the Silvassa Police Station, the Petitioner was informed that the Petitioner may approach the competent Civil Court for getting the relief in respect of the

said Will, meaning thereby that the police have refused to register the FIR in respect of the complaint of the Petitioner.

3. Having regard to the judgment of the Apex Court in the matter of *Sakiri Vasu vs. State of U.P and Ors*¹, it would be open for the Petitioner to invoke the jurisdiction of the concerned Court under Section 156(3) of the Code of Criminal Procedure against refusal of the Police to register the FIR.

4. If such an application is filed by the Petitioner within four weeks from date, the concerned Judicial Magistrate First Class is directed to decide the same expeditiously.

5. With the directions as aforesaid, the Writ Petition is disposed of.

(REVATI MOHITE DERE, J.)

(R. M. SAVANT, J.)

¹ AIR 2008 SC 907