

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
WRIT PETITION NO. 2241 OF 2017**

Samina Nazim MumbrawalaPetitioner
versus
The State of Maharashtra and ors.Respondents

Ms. Mallika A. Ingale, advocate for the petitioner.
Mrs. Aruna S. Pai, APP for the State.
Mr. Sushil Upadhyay i/b. Mr. Ashok M. Saraogi, advocate for the
respondent No.2.

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

DATE : 25th SEPTEMBER, 2018.

P. C. :

Ms. Ingale, learned counsel for the petitioner, at the outset, makes a statement that she is restricting this petition to the relief claimed in prayer clause (b). She further submits that so far as reliefs claimed in prayer clauses (c) and (d) is concerned, she will not press the same at this stage and she will file appropriate proceedings at the later stage. The statement is accepted.

2. Yesterday, we heard learned counsel for the petitioner, learned APP for the State and learned counsel for the respondent No.2/complainant. Having heard them, we were of the prima facie opinion that no case is made out against the petitioner and the subject FIR deserves to be quashed qua the petitioner. Learned APP, however,

Shubhada S Kadam

1/2

had sought time to take instructions and, at her instance, the matter was kept on board today.

3. Today, Mr. Shailesh Pasalwar, Sr.P.I.-Oshiwara Police Station as well and Mr. Suryakant Pawaar, Investigating Officer of the subject crime are present before the Court. On the basis of the instructions given by these officers, Mrs.Pai, learned APP, makes a statement that the report under Section 169 of the Code of Criminal Procedure, 1973, qua the petitioner would be filed in the subject FIR. The statement is accepted.

4. In the light of the above statement of the learned APP, Ms. Ingale, learned counsel for the petitioner, fairly states the the grievance raised in the petition qua the relief in prayer clause (b) would not survive for consideration. Accordingly, the writ petition is disposed of.

[SMT.BHARATI H. DANGRE, J.]

[RANJIT MORE, J.]