

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

WRIT PETITION NO. 3139 OF 2017

Victory Towers Welfare Association ... Petitioner.
V/s.
State of Maharashtra & Ors. ... Respondents.

**WITH
CRI. APPLICATION NO. 384 OF 2017
IN
WRIT PETITION NO. 3139 OF 2017**

City Corporation Ltd., ... Intervener
In the matter between :

Victory Towers Welfare Association ... Petitioner.
V/s.
State of Maharashtra & Ors. ... Respondents.

Mr. Shivam Nagaria, Advocate i/by M/s. Triyama Legal, for
the Petitioner
Ms. S. V. Sonawane, APP for the State.

Mr. Chaitnya Pense, Advocate i/by Mr. Manoj S. Mohite, for
the Intervener.

**CORAM : B. R. GAVAI AND
SMT. BHARATI H. DANGRE, JJ.**

DATE : FEBRUARY 26, 2018

P.C. :

1 The Petitioner has approached this court, seeking
direction to the Respondents to register FIR.

2 The Hon'ble Apex Court in the case of **Sakiri Vasu vs. State of Uttar Pradesh & Ors.**, reported in (2008) 2 SCC 409, has held that if in-charge of concerned police station does not take cognizance of a complaint, the party can very well file a complaint either under section 156 (3) or section 200 of the Criminal Procedure Code.

3 The petition is rejected, by relegating the Petitioner to resort to an alternate remedy available in law.

4 In view of this order, the Criminal application No. 384 of 2017 does not survive. It is disposed of as such.

(SMT. BHARATI H. DANGRE, J.)

(B. R. GAVAI, J.)

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