

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
CRIMINAL WRIT PETITION NO.3271 OF 2016**

Mrs. Shainaz Kadir Memon : Petitioner.
Versus
The State of Maharashtra and ors. : Respondents.

**Mr. Tejesh Dande a/w Mr. Bharat Gadhavi i/by Tejesh Dande & Associates
for the Petitioner.**

Mr. Avinash D Kamkhedkar, Addl. PP for the Respondent/State.

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

DATE : 1st AUGUST 2018

P.C.

1 We are informed by the learned counsel for the Petitioner Shri Tejesh Dande that the Petitioner has received a communication from the officer of the Police Station in question that after completing the inquiry it is revealed that the dispute between the parties is civil in nature. The officer has therefore refused to register the FIR. If that be so the judgment of the Apex Court in *Sakiri Vasu v/s. State of Uttar Pradesh and others* reported in (2008) 2 SCC 409 would be applicable to the facts of the present case. It would therefore be open for the Petitioner to file an application under Section 156(3) of the Criminal Procedure Code before the concerned Court. If any such application is filed within four weeks from date, the concerned learned JMFC to dispose of the same latest by 30/11/2018. With the directions as aforesaid, the above Writ Petition is disposed of.

**Laxmikant
Gopal
Chandan**

[REVATI MOHITE DERE, J]

[R.M.SAVANT, J]