

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

CRIMINAL WRIT PETITION NO.4069 OF 2017

Mr. Jitendra Kamal Sharma

..Petitioner

Versus

The Senior Inspector of Police,

Malwani Police Station,

Malwani, Malad West, Mumbai-95 and others

..Respondents

Mr. Yusuf S. Mithi, Advocate for the Petitioner.

Mrs. M. H. Mhatre, APP for the Respondent - State.

CORAM : B. R. GAVAI &

B. P. COLABAWALLA, JJ.

DATE : 10th JANUARY, 2018

PC.

1] The Petitioner has approached this Court seeking a direction to register an FIR.

2] The Apex Court in the case of *Sakiri Vasu Vs. State of Uttar Pradesh and others* reported in *(2008) 2 SCC 409* has held that if in-charge of concerned police station does not register an FIR, the complainant can make an application either to the Superintendent of Police or Commissioner of Police. Even if nothing is done pursuant to such a representation, a party can always file a complaint under Section 200 or under Section 156(3) of the Criminal Procedure Code. The

(18) -WP-4069-17.doc.

Petition is rejected by relegating the Petitioner to take such recourse of alternate remedy available in law.

3] Needless to state that all contentions raised in the Petition are kept open.

[B. P. COLABAWALLA, J.]

[B. R. GAVAI, J.]