

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
CRIMINAL WRIT PETITION NO. 5176 OF 2017**

Mr. Jayantilal Roopchand Jain & Anr

..Petitioners

Vs.

The State of Maharashtra & Ors

..Respondents

Mr. S. M. Oak i/b Mr. S. A. Joshi for the Petitioners

Mrs. A. S. Pai Addl PP for the Respondent State

Mr. Adinath Ahire P.I. present

**CORAM :R. M. SAVANT, &
REVATI MOHITE DERE,JJ
DATE : 18th JULY, 2018**

P.C.

1 The complaint / representation made by the Petitioners on 7-6-2017, has been looked into by the N. M. Marg Police Station Mumbai. The Inspector of Police Mr. Adinath Ahire of the said Police Station has informed the Petitioners vide letter dated 19-3-2018 that the complaint made by the Petitioners involves a civil dispute. In the said letter, the officer has referred to the terms of the contract etc. It is not necessary for us to go into the said aspects. In terms of the law laid down in **Sakiri Vasu Vs. State of U.P. & Ors.**¹ it is open for the Petitioners to approach the higher authority if the Petitioners are not satisfied with the out come of the inquiry by the Inspector of Police.

2 Upon this the Learned Counsel for the Petitioners states that the Petitioner would make a representation to the DCP Zone-III Mr. Virendra

¹ AIR 2008 SC 907

Mishra within two weeks from date. On receipt of the said representation, the DCP Zone-III Mr. Virendra Mishra may consider the said representation and take a decision thereon which decision would be informed to the Petitioners within two weeks thereafter. It would be contingent upon the communication from the DCP Zone-III, that the Petitioners can thereafter seek appropriate recourse in law.

3 With the directions as aforesaid, the Writ Petition is dispose of.

[REVATI MOHITE DERE, J]

[R.M.SAVANT, J]