

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO.543 OF 2017

IN

WRIT PETITION NO.3753 OF 2013

Nalanda CHS Ltd.

... Applicants

v/s

The State of Maharashtra and others

... Respondents

Mr Vikram Asrani with Ms Sheetal Thakur i/b Mr Vikram Chavan for Applicants.

Mr Rajan Salvi, APP for Respondent - State.

Dr H.H. Gautam, Respondent No.12 present in Court.

**CORAM : B.R. GAVAI &
B.P. COLABAWALLA, JJ.**

DATE : JANUARY 9, 2018

P.C.:

1. Criminal Application is allowed, Writ Petition is restored to file.

2. The Petitioners have approached this Court seeking a direction to register FIR. The Apex Court, in the case of Sakiri Vasu v/s State of Uttar Pradesh and others, reported in (2008) 2 SCC 409, has held that if the concerned PSO does not register an F.I.R., an

aggrieved person can make a representation either to the Superintendent of Police or the Commissioner of Police. Even after that, if the cognizance is not taken, the Applicant is at liberty to file a proceeding under sections 156(3) or 200 of Cr.P.C.

3. In that view of the matter, we are not inclined to entertain this Petition in our extraordinary jurisdiction. Petition is disposed off. The Petitioners are at liberty to adopt alternate remedy available in law.

(B.P. COLABAWALLA, J.)

(B.R. GAVAI, J.)