

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

**WRIT PETITION NO.3834 OF 2018
WITH
CRIMINAL APPLICATION NO.132 OF 2019**

Mr. Frank Anthony Almeida

...Petitioner

Vs.

Police Inspector, Waliv Police Station and Anr.

...Respondents

Mr. Satyajeet Mirajkar for the Petitioner.

Smt. S.D. Shinde, APP for the Respondent - State.

**CORAM : B. P. DHARMADHIKARI &
SMT. SADHANA S. JADHAV, JJ.**

DATE : 26th NOVEMBER 2019.

PC.:

CRIMINAL APPLICATION NO.132 OF 2018

1 As the learned counsel has agreed to argue Writ Petition No.3834 of 2018 we recall order dated 11th February 2019 and restore the writ petition back to file. Application is disposed of.

CRIMINAL WRIT PETITION NO.3834 OF 2019

2 This writ petition has been dismissed for default on 11th February 2019. It has been restored today as the learned counsel agreed to argue the writ petition.

3 Grievance is police have not taken further steps in FIR registered on 7th August 2013 for offences under sections 465, 467, 468,

471, 419, 420, 506 and 34 IPC.

4 FIR mentions period of offences to be 24th August 2004 to 31st December 2005.

5 Contention is this FIR has been registered after orders under section 156(3) Cr.P.C. Criminal Complaint No.417 of 2012 was filed before J.M.F.C., Vasai sometime on 5th December 2012. Contention that pursuant to directions therein FIR has been registered is not being substantiated.

6 During arguments we find that civil suit in relation to very same grievance was also pending then.

7 In this situation, as pleadings in present petition and documents annexed are insufficient, we find no case made out at this stage in this matter.

8 Criminal Writ Petition is accordingly disposed of.

(SMT. SADHANA S. JADHAV, J.)

(B. P. DHARMADHIKARI, J.)