

**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

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Mr. Satyajeet Mirajkar for the Petitioner.

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

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

**DATE : 26<sup>th</sup> 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 11<sup>th</sup> 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 11<sup>th</sup> 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 7<sup>th</sup> August 2013 for offences under sections 465, 467, 468,

471, 419, 420, 506 and 34 IPC.

4                FIR mentions period of offences to be 24<sup>th</sup> August 2004 to 31<sup>st</sup> 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 5<sup>th</sup> 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.)**