

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL WRIT PETITION NO.6349/2019

**AKSA ATIF GOLANDAZ @ AKSA JABBAR
PATHAN PETITIONER.**

VERSUS

ATIF AKHTAR GOLANDAZ & ORS. RESPONDENT.

Mr.Avendra Kumar i/b Mr. K.R.Tiwari, Advocate for the petitioner.

Mr.AR Kapadnis, APP for the State.

CORAM : A. M. BADAR, J.

DATE : 6th JANUARY 2020.

P.C.:

1. Learned counsel for the petitioner on instructions seeks permission to withdraw the instant petition.
2. The Petition is accordingly disposed of as withdrawn.

(A. M. BADAR, J.)

At the outset it needs to be mentioned that the petitioner/original complainant had alleged commission of offences punishable under Sections 177, 182, 193, 196, 199, 200 and 209 of the Indian Penal Code by accused persons/respondents herein. These are offences falling under Chapter X and XI of the Indian Penal Code. These offences are relating to contempts of lawful authority of public servants and of false evidence and offences against public justice. As per provision of Section 195 of the Criminal Procedure Code cognizance of these offences can not be taken by the learned Magistrate in the complaint of the nature filed by the petitioner before the trial Court. Cognizance of such offences is required to be taken only on the basis of complaint in writing by the concerned Court or by authorised Officer of the Court made in writing. The cognizance of such offences can also be taken by some other Court which is sub-ordinate to the Court alleging commission of such offences.

