

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL WRIT PETITION NO.1083 OF 2020

Shahaji Narayan Redekar

.... Petitioner

Versus

The State of Maharashtra & Ors.

.... Respondents

....

Mr. Milind Ingole, Advocate for the Petitioner.

Mr. K. V. Saste, APP, for Respondent No.1-State.

....

**CORAM : NITIN JAMDAR AND
SARANG V. KOTWAL, JJ.**

DATE : 05 OCTOBER 2021

P.C.

1. Heard the learned Counsel for the parties.
2. We have perused the Petition. The Petitioner is seeking a direction to Respondent Nos.1 & 2—the Police Authorities for investigation, enquiry and registration of the FIR against Respondent Nos.3 to 6.
3. The main grievance of the Petitioner is that Respondent Nos.3 to 6, after taking certain monies, have committed breach of trust, and in spite of attempts made by the Petitioner to register the FIR against Respondent Nos.3 to 6, the same is not being registered by the concerned police station. A grievance is also made that Respondent No.1, who could have given the direction for registration of the FIR, has also not taken any action. Therefore, this Writ Petition is filed.

4. This contingency narrated by the Petitioner is taken care of under Section 156(3) of the Code of Criminal Procedure, where the Petitioner has a statutory remedy of approaching the concerned Magistrate who, if satisfied, can issue necessary directions.

5. In view of the fact that this remedy is available to the Petitioner, we do not find any reason as to why the Petitioner can not avail of the same.

6. Therefore, keeping all the contentions of the Petitioner open, in case the Petitioner chooses to avail of this remedy, the Writ Petition is disposed of.

(SARANG V. KOTWAL, J.)

(NITIN JAMDAR, J.)

Deshmane (PS)