

JPP

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

CRIMINAL WRIT PETITION NO. 1501 OF 2021

Dilshad Begum Mohamed Ibrahim
Roghay & Ors.

... Petitioners

V/s.

The State of Maharashtra and Anr.

... Respondents

Mr. Rajiv Patil, Senior Advocate a/w. Mr. Sachin Punde for the
Petitioners

Ms. M.H. Mhatre, APP for the Respondent - State

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

DATE : 4 OCTOBER 2021

P.C. :-

After hearing the arguments for some time when it was put to the learned Senior Advocate for the Petitioners as to why the Petitioners cannot approach the concerned Magistrate under Section 156(3) of the Code of Criminal Procedure, the learned Senior Advocate expressed an apprehension that the Police Authorities have already opined that no offence has taken place. This apprehension is unwarranted as the Magistrate has all the powers to issue necessary

directions if the Magistrate is satisfied that in the facts of the case, such a course of action is warranted.

2. With these observations, since the Petitioner has an alternate remedy, the Writ Petition is disposed of.

SARANG V. KOTWAL, J.

NITIN JAMDAR, J.

JYOTI
PRAKASH
PAWAR

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