

IN THE HIGH COURT OF JUDICATURE AT BOMBAY,
NAGPUR BENCH : NAGPUR.

CRIMINAL WRIT PETITION NO. 72 OF 2020
M/s. Ingawale Patil Construction Company and anr
Vs.
Vijay N. Wadettiwar and others

Office Notes, Office Memoranda of
Coram, appearances, Court's Orders
or directions and Registrar's order

Court's or Judge's Order

Shri S.S.Shingane, Advocate for petitioners.
Shri N.R.Patil, APP for respondent nos. 4 to 7

CORAM :- SUNIL B. SHUKRE AND
AVINASH G. GHAROTE, JJ.
DATED :- 08.02.2021

We had already observed prima facie in our order dated 18.12.2020 that it would be appropriate for the petitioners to take recourse to the alternate remedy as may be available in law. Because of this, learned counsel for the petitioners had taken time from this Court for seeking instructions regarding any new development having taken place including the development regarding filing of the complaint case against respondent Nos. 1 to 3.

Now, learned counsel for the petitioners submits that he has still not received any appropriate instructions in the matter.

In the circumstances, we have considered the complaint dated 05.10.2019 on its own merits. In our view, taking the allegations made in the complaint at their face value, it does not disclose commission of cognizable offence and it is our further view that something more is required in the matter before any direction to

register the FIR against the accused persons could be issued by this Court. Besides, verification of the allegations made in the complaint would also be required. All this would be possible only when equally efficacious alternate remedy in the nature of private complaint is resorted to. However, this is something which is to be decided about by the petitioners.

In view of above, we are not inclined to entertain this petition. The petition is dismissed.

JUDGE

JUDGE

Rvjalit

**Rajesh
Jalit**

Digitally
signed by
Rajesh Jalit
Date:
2021.02.08
18:10:09
+0530