

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

CRIMINAL WRIT PETITION NO.2084 OF 2021

Devendranath Agrawal

.. Petitioner

Versus

The State of Maharashtra

.. Respondent

.....

Mr.Sushil Upadhyay i/b. Mr.Manoj Singh, Advocate for the Petitioner.

Mr.V.B. Konde – Deshmukh, APP for the Respondent – State.

Mr.Toradmal, PI Vashi Police Station, Navi Mumbai, present.

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***CORAM : REVATI MOHITE DERE &
SHARMILA U. DESHMUKH, JJ.***

DATED : JULY 27, 2022.

P.C. :

1 Heard learned Counsel for the parties.

2 By this petition, the petitioner seeks the following substantive
reliefs:

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*“i. This Hon’ble Court be pleased issue writ of mandamus or
such other writ which this court may deem fit and proper
directing concerned officer of Vashi Police Station to*

investigate the complaint of the petitioner and to take further action as required by the law.

ii. That the Hon'ble court may be pleased to direct the Concerned Investigating Officer of Vashi Police Station to file complaint against the said Mrs.Shvetali Agrawal u/s 182 of CRPC."

2 Learned APP, on instructions of Mr.Toradmal, PI Vashi Police Station, Navi Mumbai, submits that the police have taken a decision not to act on the complaint sent by the petitioner which is at Exhibit – H at page 73 of the petition, as according to them there is no substance in the said complaint. Learned APP submits that the said decision has been taken by the concerned police station i.e. Vashi Police Station on 2nd January, 2021. Learned APP has handed over the copy of the said decision taken by the police to the learned Counsel for the petitioner.

3 Considering the aforesaid, it is open for the petitioner to file a private complaint, as permissible, in accordance with law.

4 We make it clear that we have not gone into the merits of the
case.

5 Writ Petition is accordingly disposed of.

6 All concerned to act on the authenticated copy of this order.

SHARMILA U. DESHMUKH, J.

REVATI MOHITE DERE, J.