

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

WRIT PETITION NO. 943 OF 2022

Pradeep Assardas Motwani

...Petitioner

vs.

The State of Maharashtra and Ors.

...Respondents

Ms. Purvi Doctor i/by Elixir Legal Services - Advocate for the Petitioner
Ms. S. D. Shinde - APP for the Respondent-State

**CORAM : PRASANNA B. VARALE &
S. M. MODAK, JJ.**

DATE : 25th APRIL, 2022

P. C. :-

. Not on board. Taken on board.

2. Considering the grievance raised as reflected in the Praceipe as well as in view of the submission of learned counsel for the Petitioner that the Petitioner had approached Santacruz Police Station submitting to the Police authorities that certain accused persons have indulged themselves in Criminal Act attracting Sections 384,386, 447, 120B read with 34 of the Indian Penal Code, in spite of the Petitioner's disclosure of these offences, the Police Station authorities failed to pay any heed. As such the Petitioner approached Senior Police Officials, even the Senior Police Officials were not paying any heed. As such the Petitioner approached this Court.

3. The counsel for the Petitioner admits that the Petitioner can avail an efficacious remedy in the nature of approaching the learned Magistrate invoking the power of learned Magistrate under the Code of Criminal Procedure and particularly Section 156 of the Code of Criminal Procedure.
4. The counsel for the Petitioner submits that some time be granted to the Petitioner to take appropriate remedies as available under law.
5. Accordingly, we are of the opinion the Petition itself can be disposed of at this stage accepting the submission of the Petitioner that he is ready to avail appropriate remedies in the form of approaching the Magistrate taking recourse to provision of Code of Criminal Procedure. If such remedy is availed namely, approaching the Magistrate the Petitioner is permitted to avail such remedy namely, approaching the Magistrate within three weeks from today.
6. If such remedy is availed by the Petitioner, the Petitioner can approach the learned Magistrate by filing necessary application. the learned Magistrate to pass an appropriate Orders Needles to state that on considering the merits of the application as expeditiously as possible.
7. With these observations and directions, the Petition is disposed of.

(S. M. MODAK, J.)

(PRASANNA B. VARALE, J.)