

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

CRIMINAL WRIT PETITION NO. 4823 OF 2021

Mrs.Sonali Rahul Phawade .. Petitioner

Versus

The Commissioner of Police for Thane and Ors. .. Respondents

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Mr.Shekhar Bhise i/b. Ms.Suchita Joshi, Advocate for the Petitioner.

Mr.V.B. Konde – Deshmukh, APP for the Respondent No.3–State.

Ms.Patil, PI Chitalsar Police Station, Thane, 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 relief:

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“(a) For a writ of mandamus or a writ in the nature of mandamus and or any other appropriate writ, order and all directions thereby directing the Respondents to take cognizance of the Petitioner’s complaints dated 01.04.2021

and 21.05.2021 filed by the Petitioner in the office of the Respondent No.1 and 2, respectively, register an offence/FIR, investigate into the same and posted the same to its logical end;”

2 Learned APP, on instructions of Mr.Patil, PI Chitalsar Police Station, Thane, tenders a report dated 4th February, 2022 alongwith relevant documents. From the said report, it appears that the police have filed the complaint, as the dispute is found to be civil in nature. Learned APP submits that the petitioner has been communicated of the said decision on Whatsapp. Considering the report, it is now open for the petitioner to file an appropriate private complaint in accordance with law.

3 Needless to state, that all contentions on merits are kept open.

4 Accordingly, the petition stands disposed of.

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

SHARMILA U. DESHMUKH, J.

REVATI MOHITE DERE, J.