

IN THE HIGH COURT OF JUDICATURE AT BOMBAY**CRIMINAL APPELLATE JURISDICTION****CRIMINAL WRIT PETITION NO. 4437 OF 2022**

Jyotsnaben D/o Kantilal Patel

...Petitioner

Versus

The State of Maharashtra

...Respondent

Mr. Anant R. Devakate, Advocate for Petitioner.

Mr. Ajay Patil, APP for Respondent-State.

Digitally signed
by
DNYANESHWAR
ASHOK ETHAPE
Date: 2022.12.12
18:23:25 +0530

**CORAM : A. S. GADKARI AND
PRAKASH D.NAIK, JJ.****DATE : 8th DECEMBER, 2022.****P.C.:-**

1. Present petition under Article 226 of the Constitution of India, for lodgment of FIR on the basis of complaint dated 30th May 2022, is not maintainable.

2. In view thereof, learned Advocate for the Petitioner, on instructions, seeks leave to withdraw the present petition with liberty to file private complaint, under the provisions of Cr.P.C., if so advised and as may be permissible under the law.

Leave and liberty granted.

3. Petition is disposed off as withdrawn with aforesaid liberty.

4. It is made clear that, this Court has not tested veracity of complaint filed by Petitioner with Azad Maidan Police Station, Mumbai and

the present Petition is disposed off on the ground of availability of substantive alternate remedy to the Petitioner.

(PRAKASH D. NAIK, J.)

(A. S. GADKARI, J.)