

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
CRIMINAL WRIT PETITION NO. 3135 OF 2022**

Huf India Pvt. Ltd.

...Petitioner

Versus

State of Maharashtra and anr.

...Respondent

.....

None for the Petitioner.

Mr. M. M. Deshmukh, APP for the State.

Ms. Shradha Achalia i/b Sapana Rachure for Respondent No. 2.

.....

CORAM : N.R. BORKAR, J.

DATE : 07 OCTOBER 2022.

P.C. :-

None for the petitioner.

2. This petition takes exception to the order dated 03.08.2022 passed by Judicial Magistrate First Class, Cantonment Court, Pune.

3. Petitioner herein had filed an application under Section 156(3) of the Code of Criminal Procedure against the respondent No. 2 inter alia praying that Hadapsar Police Station be directed to register First Information Report under Section 406, 420, 465, 467, 468, 471, 474 read with Section 34 of Indian Penal Code against respondent No. 2

and carry out the necessary investigation.

4. It appears that the learned Magistrate by order dated 27 July 2022 directed the concerned police station to investigate the allegations made by the present petitioner, in its application under Section 156 (3) of the CrPC.

5. Respondent No. 2 herein thereafter moved an application inter alia praying that the order of investigation cannot be passed in view of the provisions of Companies Act and sought recall of the order dated 27 July 2022.

6. By the impugned order the learned magistrate directed the present petitioner to file reply to the application filed by respondent No. 2 and stayed the order dated 27 July 2022.

7. Considering the fact that application filed by respondent No. 2 is still pending and no final order is passed on the said application, I am not inclined to entertain the present petition. Petition is dismissed.

(N.R. BORKAR, J.)