

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

942 CRIMINAL WRIT PETITION NO.233 OF 2020

BAJIRAO S/O. GAJABA KALE
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS

Advocate for Petitioner : Mr.Shubham Jayabhar h/f.
Mr.Dattatraya R. Jayabhar
APP for Respondents-State : Mr.R.V.Dasalkar

**CORAM : MANGESH S. PATIL &
ABHAY S. WAGHWASE, JJ.**

DATE : 12 April 2023

PER COURT :-

1. The petitioner claims that some individuals i.e. respondent Nos.4 to 6 are harassing him and his wife by threatening, hurling abuses and at times have beaten them. He also claims that these respondents have been dumping debris in his plot. The Police are not taking any action. He is seeking a mandamus directing the Police to take steps pursuant to his communication dated 18-11-2019 against respondent Nos.4 to 6.

2. We have heard the learned Advocate for the petitioner and perused communication dated 18-11-2019.

3. Though the petitioner has been putting a grievance regarding harassment at the hands of respondent Nos.4 to 6, *ex facie* no offence is being reported so that the Officer Incharge of Police Station can take cognizance. He is only reporting previous incidents without any details and wants some action to be initiated against respondent Nos.4 to 6.

4. In our considered opinion, no mandamus can be issued as is being prayed. It is always open for the petitioner to resort to the appropriate remedies including lodging of the FIR, filing of a private complaint or soliciting an order for investigation under Section 156(3) of the Code of Criminal Procedure.

5. The writ petition is dismissed.

(**ABHAY S. WAGHWASE**)
JUDGE

(**MANGESH S. PATIL**)
JUDGE