

IN THE HIGH COURT OF JUDICATURE AT BOMBAY**CRIMINAL APPELLATE JURISDICTION****CRIMINAL WRIT PETITION NO. 4816 OF 2021**

Sheetal Santosh Bhosle And Anr.

...Petitioners

V/s.

The Superintendent Of Police And Anr.

...Respondents

Mr. V. B. Ghorpade for Petitioners.

Mr. Ajay Patil, A.P.P. for the Respondent-State.

Mr. Umesh Mankapure, for Respondent Nos. 10 & 11.

Mr. R. R. Patil for Respondent No.12.

**CORAM : A. S. GADKARI AND
PRAKASH D.NAIK, JJ.****DATE : 12th JANUARY, 2023.****P.C.:-**

. By the present Petition, Petitioner has requested this Court to direct to lodge First Information Report (for short 'FIR') against Respondent Nos. 8, 9, 10 & 11 the alleged accused, on the basis of a complaint by Petitioner.

2. Record indicates that, Petitioner No.2 had already filed a complaint before the competent Court of jurisdiction. The Petitioners have already adopted alternate remedy available at their disposal under law. The Hon'ble Supreme Court in the case of *Bombay Metropolitan Region Development Authority, Bombay Vs. Gokak Patel Volkart Ltd. and Ors.* reported in (1998) 1 SCC 642 has held that, where the alternative remedy is availed by the Petitioner and the proceedings are subjudice, in that event a writ petition for similar reliefs ought not to be entertained.

3. In view of the above, we find that, there are no merits in the Petition.
Petition is accordingly dismissed in limine.

(PRAKASH D. NAIK, J.)

(A.S. GADKARI, J.)