

IN THE HIGH COURT OF JUDICATURE AT BOMBAY**CRIMINAL APPELLATE JURISDICTION****CRIMINAL WRIT PETITION NO. 446 OF 2023**

Laxman Kashappa Pama

...Petitioner

Versus

The State Of Maharashtra

...Respondent

Mr. Pankaj Dwivedi Advocate for Petitioner.

Mrs. M. H. Mhatre, APP for Respondent-State.

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**CORAM : A. S. GADKARI AND
PRAKASH D.NAIK, JJ.**

DATE : 13th FEBRUARY, 2023.

P.C.:-

1. Present Petition is under Article 226 of the Constitution of India for lodgment of crime on the basis of complaints dated 30th July 2020, 11th May 2022 and 17th May 2022 lodged by the Petitioner with MIDC Police Station Marol, Andheri (East), Mumbai, on which cognizance has not been taken by the Police Authorities.

2. It is the settled position of law and as has been reiterated by Supreme Court in its decision in the case of M. Subramaniam & Anr. Vs. S. Janaki & Anr., reported in (2020) 16 SCC 728 that, Petition under Article 226 of the Constitution of India for lodgment of crime is not maintainable.

3. In view thereof, learned Advocate for the Petitioner seeks leave to withdraw present Petition with liberty to file a private complaint if so

advised and as may be permissible under the provisions of law.

Leave and liberty granted.

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 Petition is disposed off as withdrawn with aforesaid liberty.

(PRAKASH D. NAIK, J.)

(A. S. GADKARI, J.)