

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION**

CRIMINAL WRIT PETITION NO.291 OF 2022

Arif Nizamuddin Shaikh

Petitioner

versus

The State of Maharashtra and another

Respondents

Mr.Sanjiv Kadam i/by Mr.Somnath Thengal, Advocate for Petitioner.
Mrs.M.H.Mhatre, APP, for State.

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

DATE : 16th January 2023

PC :

1. By present petition, the Petitioner is seeking registration of crime on the basis of his complaint dated 2nd June 2021 against concerned persons mentioned therein.

2. Petitioner has a substantive alternate remedy available under the provisions of Code of Criminal Procedure and without availing such a remedy, Petitioner has directly approached this Court. Even otherwise, Writ Petition under Article 226 of the Constitution of India for lodgment of FIR is not maintainable.

3. In view of the above, 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 Petition is disposed off as withdrawn with aforesaid liberty.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.)

MST