

IN THE HIGH COURT OF JUDICATURE AT BOMBAY**CRIMINAL APPELLATE JURISDICTION****CRIMINAL WRIT PETITION NO. 954 OF 2021**

Ranjeet Valkeshvar Mhatre

.. Petitioner

Vs.

The State of Maharashtra & Ors.

.. Respondents

Mr. Ashok Kumar Dubey a/w Ms. Shweta Yadav i/b SAVJ Law Solutions for the Petitioner.

Mr. Ajay Patil, APP for the Respondent-State.

**CORAM : A. S. GADKARI AND
SHYAM C. CHANDAK, JJ.**

DATE : 28th NOVEMBER, 2023.

P. C.:-

1) Petitioner-Informant has invoked jurisdiction of this Court under Article 226 of the Constitution of India for the following substantive relief:

b) The Hon'ble Court may be please to issue the notice to the respondents and call the report from the Respondents in the F.I.R. No. 57 of 2020, registered with the Bhiwandi Taluka Police Station, Thane.

c) The Hon'ble Court may be please to direct the Respondent No.2, to conduct the inquiry with Respondent Nos. 3, 4 & 5 for not taking action against the accused Vishwanath Balaram Mhatre.

2) Perusal of record produced by the learned A.PP. indicates that, after completion of investigation of present crime, Police have submitted chargesheet in the Court of District and Sessions Judge at Thane, on 18th

April, 2023 bearing Chargesheet No. 38 of 2023. In view thereof, prayer clause (b) as of today does not survive.

3) As far as prayer clause (c) is concerned, the State of Maharashtra has established State Police Complaint Authority under Section 22(P) of the Maharashtra Police Act.

3.1) The Petitioner therefore is having alternate remedy to file his complaint before the said Authority for failure to perform duty by Respondent Nos. 3, 4 and 5, if so advised and as may be permissible under the law.

4) By reserving the said remedy, Petition is disposed off.

(SHYAM C. CHANDAK J.)

(A. S. GADKARI, J.)