

IN THE HIGH COURT OF JUDICATURE AT BOMBAY**CRIMINAL APPELLATE JURISDICTION****CRIMINAL WRIT PETITION NO. 476 OF 2022**

Sarita Purshottam Khanchandani And Anr. ...Petitioners
Versus
The State Of Maharashtra ...Respondent

Mr. Siddhesh Pilankar i/by Dr. Uday P. Warunjikar Advocate for
Petitioner.

Mrs. S. D. Shinde, APP for Respondent-State.

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

DATE : 18th JANUARY, 2023.

Digitally signed
by
DNYANESHWAR
ASHOK ETHAPE
Date: 2023.01.23
13:41:48 +0530

P.C.:-

. By the present Petition, the Petitioner is seeking direction for registration of Crime on the basis of e-mail sent by her to the Municipal Corporation Ulhasnagar against certain persons. Petitioner has a substantive alternate remedy by way of filing a private complaint.

2. It is the settled principle 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 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 Petition is disposed off as withdrawn with aforesaid liberty.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.)