



IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL WRIT PETITION NO. 3026 OF 2023

Yashwant Sahdev Shinde

.....Petitioner

Vs.

The State Of Maharashtra & Ors.

.....Respondents

Mr. M.A. Khan i/by Capri Legal for the Petitioner.

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

CORAM : A. S. GADKARI AND
SHARMILA U. DESHMUKH, JJ.
DATE : 8th SEPTEMBER, 2023.

P.C.:-

- 1) Petitioner has already exhausted alternate remedy available under the provisions of Cr.PC..
- 2) Petitioner has prayed for similar reliefs in this Petition, as were sought for in his complaint bearing CC No.1376/Misc/2021. The learned Metropolitan Magistrate, 25th Court, Mazgaon at Sewree, Mumbai by its Order dated 4th January, 2022 has dismissed the said complaint filed by the Petitioner.
- 3) In view thereof, according to us present Petition for same reliefs under Article 226 of the Constitution of India is not maintainable and is accordingly disposed off.

4) Petitioner is at liberty to question the correctness of Order dated 4th January, 2022 passed below Exh-1 in CC No.1376/Misc/2021 before the appropriate forum.

(SHARMILA U. DESHMUKH, J.)

(A.S. GADKARI, J.)