

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
CRIMINAL WRIT PETITION NO. 1303 OF 2020**

Malan Moreshwar Gavade

...Petitioner

Versus

The State of Maharashtra and Ors.

...Respondents

Mr. Aniket U. Nikam i/b. Mr. Aashish Satpute for the Petitioner.

Mr. V. B. Konde Deshmukh, APP for the State.

**CORAM : REVATI MOHITE DERE &
GAURI GODSE, JJ.**

DATE : 14th JUNE 2023

P. C. :

1. By this petition, the petitioner seeks the following substantive reliefs as set out in prayer clause (a), which reads as under :

(a) That this Hon'ble Court may be pleased to issue a writ of mandamus and/or any other appropriate writ, order and/or direction in the nature of mandamus thereby directing the Respondent No. 2 to forthwith register an FIR on the basis of the complaint/letter dated 26/6/2019 filed by the petitioner and further to investigate the same in accordance with law, in exercise of the extraordinary powers

vested with the Hon'ble court under Article 226 of the Constitution of India.

2. Learned APP has tendered a report dated 13th June 2023. In the said report, it is stated that the complaint dated 26th June 2019, made by the petitioner is of civil in nature and the same is informed to the petitioner. Hence, report dated 24th February, 2020 is submitted before the Commissioner, Pimpri Chinchwad, that the complaint is filed. The said report is taken on record.

3. In view of the statement made by the learned APP, learned counsel for the petitioner does not press his petition and seeks leave to withdraw the same with liberty to avail of the alternative remedy as available in law, to the petitioner.

4. Petition is accordingly disposed of as withdrawn with liberty as prayed.

All concerned to act on an authenticated copy of the order.

GAURI GODSE, J.

REVATI MOHITE DERE, J.