

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL WRIT PETITION NO. 1145 OF 2021

M/s. Garg Financial Consultants Pvt. Ltd.

Through Director Praveen T. Agarwal

...Petitioner

V/s.

Bank Of India And Ors.

...Respondents

Mr. Anand Mishra i/by A.M. Saraogi, Advocate for Petitioner.

Mr. Ajay Patil, A.P.P. for the Respondent-State.

Mr. Jitendra B. Mishra, for Respondent Nos.2 & 3.

CORAM : A. S. GADKARI AND
PRAKASH D.NAIK, JJ.DATE : 22nd FEBRUARY 2023.PC:-

. At the outset, learned counsel appearing for Respondent Nos.2 and 3 raised a preliminary objection and submitted that, no cause of action for filing a Criminal Writ Petition has arisen and therefore, the present petition filed as Criminal Writ Petition is not maintainable. In support of his contention, he relied on the decision of this Court in the case of *Nagpur Cable Operators Association Vs. Commissioner of Police, Nagpur and Another* reported in 1995 (2) Mh.L.J. 753.

2. In view thereof, the learned counsel for Petitioner on instructions seeks leave to convert the present Petition into Civil Writ Petition.

Leave granted.

3. Necessary amendment be carried out within a period of two weeks from today and an amended copy of Petition be served upon learned Advocates for the Respondents within same stipulated period.

(PRAKASH D. NAIK, J.)

(A.S. GADKARI, J.)