

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL WRIT PETITION NO. 866 OF 2022

Pradip Sampatrao Indulkar

...Petitioner

Versus

The State of Maharashtra and Others

...Respondents

Mr. Nitin Gaware Patil for the Petitioner.

Ms. S. S. Kaushik, APP for the State.

Mr. Raju Surve, P.I. Igatpuri Police Station, Nashik.

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

DATE : 20th JUNE 2023

P. C. :

1. By this petition, the petitioner seeks a direction to respondent no. 2 – Superintendent of Police, Nashik Rural, District Nashik as well as a direction to the respondent no. 3 – Igatpuri Police Station, Nashik to lodge a criminal prosecution as against the persons mentioned in the petitioners complaint dated 22nd December, 2021 and letters addressed thereafter.

2. Learned APP on the instructions of officer PI Raju Surve, attached to Igatpuri Police Station states that the police have already communicated their decision to the petitioner on 10th January 2022, that his complaint has been closed. He states accordingly an entry to that effect has also been made in the station diary.

3. Learned counsel for the petitioner states that his client has not received a copy of the said communication. Hence, the concerned officer to re-serve a copy of the said communication on the petitioner on his WhatsApp.

4. In view of the aforesaid, learned counsel for the petitioner does not press this petition and seeks leave to withdraw the same with liberty to initiate appropriate proceeding before the appropriate forum.

5. The petition is accordingly disposed as withdrawn with liberty as prayed.

6. We make it clear that we have not heard the petition on merits, and as such all contentions of all parties are kept open.

GAURI GODSE, J.

REVATI MOHITE DERE, J.