

IN THE HIGH COURT OF JUDICATURE AT BOMBAY**CRIMINAL APPELLATE JURISDICTION****CRIMINAL WRIT PETITION NO. 2033 OF 2014****Bhahu Patil Nivruti Arote & Ors.****.....Petitioners****Vs.****The State Of Maharashtra & Ors.****.....Respondents**

Mr. Abhijeet Naik a/w Adv. Vinay Khobragade i/by Rajesh P. Khobragade for the Petitioners.

Adv. Shailesh S. Kharat for Respondent Nos.13 and 14.

Ms. S.D. Shinde APP, for the Respondent-State.

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

DATE : 15th FEBRUARY, 2023.

P.C.:-

For an alleged non-cognizable, bailable offence occurred in year 2004, a representation was made to the D.B. Marg Police Station on 24th December, 2004 and the present Petition for lodgment of crime was filed on 6th May, 2014. Present Petition is thereafter moved today for admission.

2) Learned counsel for the Petitioner submitted that, subsequent to the filing of complaint dated 24th December, 2004, the Petitioners also filed various complaints with the police authorities of which cognizance has not been taken.

3) Undoubtedly, the Petition is hit by delay and laches. No explanation is offered as to what steps the Petitioner took in the

interregnum in pursuing substantive alternate remedy available to them. A bare perusal of complaint dated 24th December, 2004 would indicate that, no offence of cognizable nature has made out by the Petitioners.

4) According to us, Petition is de hors of merits and is accordingly dismissed *in limine*.

(PRAKASH D. NAIK, J.)

(A.S. GADKARI, J.)

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SHARNAPPA
MASHALKAR

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