

***IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION***

CRIMINAL WRIT PETITION NO.5220 OF 2022

Mohd. Umar Abdul Gaffar

...Petitioner

Versus

State of Maharashtra and Ors.

...Respondents

Mr. S. R. Mishra, for the Petitioner.

Mr. V. B. Konde-Deshmukh, A.P.P for the Respondent Nos.1&2–
State.

Mr. Hemant Ingle i/b Mr. Prashant Goyal, for the Respondent No.3.

PSI – A. M. Bhabal, Dongri Police Station, Mumbai, is present.

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

DATE : 21st JUNE 2023

P.C. :

1. By this petition, the petitioner has sought the following
substantive prayer:-

- a. That this Hon'ble Court be pleased to direct the officers of
respondent No.2 to issue 72hrs prior notice if any F.I.R.
register against the petitioner. On such terms and conditions
this Hon'ble Court may deem fit and proper.

2. Infact, having perused the aforesaid prayer, the petition is not maintainable under Article 226 of the Constitution of India.

3. Be that as it may, learned APP on instructions states that the grievance of the petitioner does not survive, inasmuch as, the complainant who had lodged the complaint as against the petitioner has been informed vide letter dated 5th December 2022 that the dispute is of a civil nature and as such the complaint has been closed.

4. Petition is accordingly dismissed and disposed of as such.

GAURI GODSE, J.

REVATI MOHITE DERE, J.