

IN THE HIGH COURT OF JUDICATURE AT BOMBAY**CRIMINAL APPELLATE JURISDICTION****CRIMINAL WRIT PETITION NO. 3204 OF 2022**

Lilaben Manibhai Patel

.....Petitioner

Vs.

State Of Maharashtra

.....Respondent

Mr. Amit Desai, Senior Advocate a/w. Mr.Gopalkrishna Shenoy i/b.
Ms.Dimple K. Shah for the Petitioner.

Mr. Ajay Patil APP, for the Respondent-State.

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

DATE : 25th JANUARY, 2023.

P.C.:-

. In pursuance of our oral directions and Order dated 11th January, 2023, the Commissioner of Police, Mumbai has submitted his communication dated 19th January 2023 to the Public Prosecutor, High Court, Mumbai. It is informed that, the Police Inspector Mr. Arjun Jagdale has retired from Maharashtra Police Services in the month of May, 2021. Since, the said officer is retired, the Commissioner will look it under Rules and Regulations for initiating disciplinary action against retired officer as warranted.

2. The Petitioner is having substantive alternate remedy by way of private complaint under the provisions of Criminal Procedure Code (Cr.P.C.).

3. In view thereof, Mr. Desai, learned Senior Counsel appearing for the Petitioner seeks leave to withdraw the present Petition with liberty to file a private complaint as contemplated under the provisions of Cr.P.C..

Leave and liberty granted.

4. Petition is disposed off as withdrawn with aforesaid liberty.

5. The Petitioner is aged about 88 years as of today. Considering the fact that, there is already sufficient period lapsed in pursuing her remedy with the Police, in the event the Petitioner files a private complaint before the learned Magistrate, we direct the concerned Magistrate to consider the same as expeditiously as possible and to pass appropriate Orders therein as per the provisions of law within a period of four weeks from the date of filing of such a complaint.

(PRAKASH D. NAIK, J.)

(A.S. GADKARI, J.)

SANJIV
SHARNAPPA
MASHALKAR

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