



Patil-SR

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IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

WRIT PETITION NO. 4872 OF 2022

Pravin Narayan Kalme.

...Petitioner.

V/s.

The State of Maharashtra & Others.

...Respondents.

Mr. Vikram Sutaria and Ms. Harshita Shroff for the Petitioner.

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

**CORAM : A.S. GADKARI &
SHARMILA U. DESHMUKH, JJ.**

DATE : 30th August, 2023.

P. C. :

1. Present petition under Article 226 of the Constitution of India is filed for lodgment of crime on the basis of representation made by the Petitioner to the high ranking Police Officials on which cognizance has not been taken by the concerned police Authorities and for other consequential reliefs.

2. It is the settled position of law and as has been reiterated by the Hon'ble Supreme Court in the case of *M. Subramaniam & Anr. vs. S. Janaki & Anr. Reported in (2020) 16 SCC 728*, the petition under Article 226 of the Constitution of India for lodgment of crime is not maintainable.

3. In view thereof, learned counsel appearing for the petitioner on instructions seeks leave to withdraw petition with liberty to file a private complaint, as may be permissible under the provisions of law.

Leave and liberty granted.

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 Petition is disposed off as withdrawn with aforesaid liberty.

(SHARMILA U. DESHMUKH, J.)

(A.S. GADKARI, J.)