



IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL WRIT PETITION NO. 3166 OF 2023

Shankar Keshav Satpati

.....Petitioner

Vs.

Mumbai Police Commissioner & Ors.

.....Respondents

Mr. Shankar Keshav Satpati, Petitioner-in-person.

Mr. J.P. Yagnik APP, for the Respondent-State.

CORAM : A. S. GADKARI AND
SHARMILA U. DESHMUKH, JJ.
DATE : 20th SEPTEMBER, 2023.

PC.:-

1) Present Petition under Article 226 of the Constitution of India is filed for lodgment of crime on the basis of complaint dated 16th January 2020 submitted by the Petitioner with Senior Inspector of Police, Charkop Police Station, Kandivali West, Mumbai, on which cognizance has not been taken by the concerned Police Authorities.

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 that, Petition under Article 226 of the Constitution of India for lodgment of crime is not maintainable.

3) In view thereof, the Petitioner-in-person seeks leave to withdraw present 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4) Petition is disposed of as withdrawn with aforesaid liberty.

(SHARMILA U. DESHMUKH, J.)

(A.S. GADKARI, J.)