

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO. 12195 of 2022

Ashok Mutmal Methwani ... Petitioner

V/s.

The Commissioner Ulhasnagar ... Respondents
Municipal Corporation and Ors.

Mr. Sagar G. Talekar for petitioner.

Mr. Suresh M. Kamble for respondent nos. 1 to 3.

Mr. Manoj A. Patil for respondent No. 4.

**CORAM : SUNIL B. SHUKRE &
M.W. CHANDWANI, J.J.**

DATE : 23rd JANUARY 2023.

P.C. :

1. Heard learned counsel for the petitioner.
2. By this petition, the petitioner seeks to question the legality and correctness of the decision taken by the Corporation to initiate criminal action against the petitioner by filing FIR against him and for this purpose, even one officer has been authorised to lodge the FIR against the petitioner. The decision so taken by the Corporation is its internal matter and there is no law available in this country which

prohibits a citizen of India from taking a decision, in his wisdom, to file FIR against somebody for setting the criminal law in motion for what he considers to be an unlawful act, which is punishable as an offence under relevant provisions of IPC or any other law. The only right given to a person aggrieved by such a decision is to question the action of police regarding registration of a crime for any offence or offences against that person but till that time, no person can be prevented from going to police for setting the criminal law in motion, if the person is of the opinion that there is a cognizable offence committed by another.

3. In this view of the matter, we are not inclined to entertain this petition. The petition stands dismissed.

(M.W. CHANDWANI, J)

(SUNIL B. SHUKRE, J)