

IN THE HIGH COURT OF JUDICATURE AT BOMBAY**CRIMINAL APPELLATE JURISDICTION****CRIMINAL WRIT PETITION NO. 4206 OF 2018**

Surekha Ashok Landge

.....Petitioner

Vs.

The State Of Maharashtra & Ors.

.....Respondents

Adv. Nitin S. Satpute for the Petitioner.

Mrs. M.M. Deshmukh APP, for the Respondent-State.

**CORAM : A. S. GADKARI AND
PRAKASH D. NAIK, JJ.****DATE : 13th APRIL, 2023.****P.C.:-**

- 1) Present Petition under Article 226 of the Constitution of India is filed for lodgment of crime on the basis of complaint dated Nil/09/2018 submitted by one Sau. Neha Shinde, Treasurer, Maharashtra Rajya Bhim Army, Bharat Ekta Mishan with Kalamboli Police Station, Navi 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) Learned Advocate for the Petitioner therefore seeks leave to withdraw present Petition with liberty to adopt an alternate remedy as may

be permissible under the provisions of Cr.P.C. and subject to the provisions of Limitation Act.

Leave and liberty granted.

- 4) Petition is disposed off as withdrawn, with aforesaid liberty.

(PRAKASH D. NAIK, J.)

(A.S. GADKARI, J.)