

IN THE HIGH COURT OF JUDICATURE AT BOMBAY**CRIMINAL APPELLATE JURISDICTION****CRIMINAL WRIT PETITION NO. 5324 OF 2022**

Mansha Thunya Chaudhari

.....Petitioner

Vs.

The State Of Maharashtra & Anr.

.....Respondents

Dr. Uday P. Warunjikar for the Petitioner.

Ms. Mahalakshmi Ganpathy APP, for the Respondent-State.

**CORAM : A. S. GADKARI AND
SHYAM C. CHANDAK, JJ.****DATE : 6th NOVEMBER, 2023.****P.C.:-**

1) Present Petition under Article 226 of the Constitution of India is filed for lodgment of crime on the basis of complaints dated 20th November, 2017, 13th January, 2018, 2nd February, 2018, 7th March, 2018 and 13th February, 2020 submitted by the Petitioner with Senior Inspector of Police, Shrinagar Police Station, Thane, 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 of the above, by reserving the remedy in favour of the Petitioner to file a private complaint before the learned Magistrate having jurisdiction, Petition is disposed off.

(SHYAM C. CHANDAK, J.)

(A.S. GADKARI, J.)

SANJIV
SHARNAPPA
MASHALKAR

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